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JOURNAL

OF THE

SENATE

OF THE

COMMONWEALTH OF VIRGINIA,

BEGUN AND HELD AT THE CAPITOL, IN THE

CITY OF RICHMOND,

ON MONDAY THE FIFTH DAY OF DECEMBER, IN THE YEAR
ONE THOUSAND EIGHT HUNDRED AND FORTY-TWO.

RICHMOND:—PRINTED BY JOHN WARROCK,
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May 25, 1931

ETATIS

OF THE

COMMONWEALTH OF VIRGINIA

IN AND HELD AT THE CAPITOL IN THE

(CITY OF RICHMOND)

ON THE DAY OF MAY 1931
AND THE DAY OF MAY 1931

RECORDED - INDEXED BY JOHN W. HARRIS
JUN 1 1931

GENERAL ASSEMBLY,

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF RICHMOND,
ON MONDAY THE FIFTH DAY OF DECEMBER, IN THE YEAR

ONE THOUSAND EIGHT HUNDRED AND FORTY-TWO.

The Senate met pursuant to the final adjournment of the last session. James H. Langhorne, Edward P. Scott, John R. Taylor, John Guerrant, Ann Rogers, John McCauley and Alexander Newman, Esqs., returned to represent Senatorial districts in the fourth class, in conformity to the constitution, and pursuant to law; and James H. Cox, Clarke Penn, Hill Carter and Thomas Sloan, Esquires, members elected and returned pursuant to writs issued for that purpose, being duly qualified, appeared and took their seats in the Senate Chamber; and a majority of the whole number being present—

On motion of Mr. Cocke, *Ordered*, That Addison Hansford be appointed Clerk of the Senate.

On motion of Mr. Cocke, The Senate proceeded to the choice of a Speaker.

Mr. Cocke then nominated Charles Hunton, Esq., as a fit and proper person to discharge the duties of the Chair.

The nomination was seconded by Mr. Bouldin.

The Clerk called the roll, whereupon it appeared that there was an unanimous vote in favor of Charles Hunton, Esq., to wit:—

Messrs. Cox, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Woolfolk, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley and Newman.

Charles Hunton, Esq., having received an unanimous vote, was declared by the Clerk duly elected Speaker of the Senate, and being conducted to the chair by Messrs. Cocke and Bouldin, expressed to the Senate the high sense he entertained of the honor conferred upon him.

On motion of Mr. Cocke,

The Senate then proceeded to the choice of a Sergeant at Arms.

The Clerk called the roll, whereupon it appeared that there was an unanimous vote of the members present in favor of Littleton W. Allen, to wit:—Messrs. Hunton (Speaker), Cox, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Woolfolk, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley and Newman.

Littleton W. Allen having received an unanimous vote was declared by the Speaker duly elected Sergeant at Arms to the Senate.

Mr. Atkinson offered the following resolution:

Resolved, That this Senate will elect but one door-keeper.

Mr. Woolfolk then offered the following as a substitute for said resolution.

Resolved, That the Senate will now proceed to the election of two door-keepers, and the persons elected, be now informed that at any time during the session, the services of either can be dispensed with, he will be dismissed.

And, on the question being put upon the said proposed substitute, it was disagreed to by the Senate. Ayes 11, Noes 15.
The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Thornton, Cocke, Peyton, Woolfolk, Preston, Carter of C. C., Carter of R., Moffett, Langhorne, Guerrant, and Rogers—11.
Noes—Messrs. Hunton (Speaker), Cox, Carson, Willey, Atkinson, Baptist, Bouldin, Penn, Sloan, Shinn, McMullen, Scott, Taylor, McCauley and Newman—15.

And, on the question being then put upon the said resolution, offered by Mr. Atkinson, it was disagreed to by the Senate. Ayes 10, Noes 16.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Hunton (Speaker), Cox, Carson, Willey, Atkinson, Bouldin, Penn, Sloan, McMullen and Newman—10.

Noes—Messrs. Thornton, Cocke, Peyton, Baptist, Woolfolk, Preston, Carter of C. C., Carter of R., Moffett, Shinn, Langhorne, Scott, Taylor, Guerrant, Rogers and McCauley—16.

On motion of Mr. Cocke,

The Senate then proceeded to the election of a first doorkeeper.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Thomas L. Nelson—Messrs. Hunton (Speaker), Cox, Carson, Willey, Atkinson, Woolfolk, Bouldin, Penn, McMullen, Scott, Taylor, Guerrant, McCauley and Newman—13.

For Julius Martin—Messrs. Thornton, Cocke, Peyton, Carson, Baptist, Preston, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, Langhorne and Rogers—13.

No person having received a majority of the whole number of votes the Speaker declared that there was no election.

The Senate, again, proceeded to the election of a first doorkeeper.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Thomas L. Nelson—Messrs. Hunton (Speaker), Cox, Carson, Willey, Atkinson, Woolfolk, Bouldin, Penn, McMullen, Scott, Taylor, Guerrant, McCauley and Newman—14.

For Julius Martin—Messrs. Thornton, Cocke, Peyton, Baptist, Preston, Carter of C. C., Carter of R., Moffett, Sloan, Langhorne and Rogers—11.

Thomas L. Nelson, having received a majority of the whole number of votes, was declared by the Speaker duly elected first doorkeeper of the Senate.

The Senate then proceeded to the election of a second doorkeeper.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Julius Martin—Messrs. Hunton (Speaker), Cox, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Woolfolk, Preston, Bouldin, Penn

Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Loughorne, Scott, Taylor, Guerrant, Rogers, McCauley and Newman.

Julius Martin, having received an unanimous vote of the members present, was declared by the Speaker duly elected second doorkeeper to the Senate.

On motion of Mr. Cooke,

The Senate, then, proceeded to the election of a printer to the Senate.

The Clerk called the roll, whereupon it appeared that there was an unanimous vote of the members present, in favor of John Warrock, to wit: Messrs. Hunter (Speaker,) Cox, Thornton, Cooke, Payton, Osgood, Willey, Atkinson, Baptist, Woolfolk, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Loughorne, Scott, Taylor, Guerrant, Rogers, McCauley and Newman.

John Warrock, having received an unanimous vote of the members present, was declared by the Speaker duly elected Printer to the Senate.

On motion of Mr. Cooke,

Resolved, That the Rules and Regulations adopted at the last session for the government of the Senate, be adopted for its government during the present session.

The said Rules and Regulations are as follow:—

1. *Ordered*, That no member absent himself from the service of this House without leave, unless he be sick and unable to attend.

2. That when any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, and, without advancing from thence, shall, with due respect, address himself to Mr. Speaker, confining himself strictly to the point in debate, and avoiding all indecent and disrespectful language.

3. That no member shall speak more than twice to the same question, without leave of the Senate, nor more than once, until every member choosing to speak, shall have spoken.

4. That a question being once determined, must stand as the judgment of the House, and cannot again be drawn into debate, during the same session, except where it may be judged proper to recede from any determination, in consequence of a conference with the House of Delegates.

5. That while the Speaker is reporting or putting any question none shall entertain private discourse, read, stand up, walk into, out of, or cross the House.

6. That no member shall vote on any question, in the event of which he is immediately interested, or in any case where he was not present when the question was put by the Speaker, or the Chairman of any Committee.

7. That every member who shall be present when any question is put, or vote taken, shall be counted on one side, or the other.

8. That all bills shall be read and dispatched in priority and in order of time, as they shall be sent from the House of Delegates, unless the House shall direct otherwise in particular cases.

9. That a motion, either for the second reading, or for suspending the second reading of a bill, and a motion for committing the bill, may be submitted at the same time; but the questions upon these motions shall be put separately, if required by any member.

10. That any member may call for a division of the question which shall be divided if it comprehends propositions in substance so distinct, that one being taken away, a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert, shall be deemed indivisible, and a motion to strike out being lost, shall preclude neither amendment, nor a motion to insert.

11. That the Clerk of this House, shall not suffer any records or papers to be taken from the table, or out of his custody by any member or other person, except a Chairman of any Committee: *Provided, however,* That he may deliver any bill or papers to any other member or to the Printer of this House, where the same shall be directed to be printed, on taking his receipt for the same.

12. That three members be a sufficient number to adjourn, and any seven to call a meeting of the Senate, and send for the absent members, and make any orders for their censure or discharge.

13. That when the House is to rise, every member shall keep his seat till the Speaker leave the chair.

14. That the Journals of this House be daily drawn up by the Clerk and, after being examined by the Speaker, be printed and delivered without delay.

15. That if any question be put upon a bill, the Speaker is to state the same, but not to sway the House with arguments.

16. That if in debate, words be let fall that give offence, exceptions should be taken the same day, and before such member go out of the House; or, he who is offended, may move that such person may not go out of the House, till he hath given a satisfactory explanation of the words by him spoken; and in such case, after the present debate is over, the words must be repeated by the person excepting; and, in case he desire, or the House command it, the member who had uttered the words objected to, is to explain himself standing in his place, which if he refuses to, or the House be not satisfied with such explanation, then he is to withdraw.

17. That hereafter no question shall be debated until the same has been propounded by the Chair, and then the mover shall have the right to explain his views in preference to any other person.

18. That when a motion has been made, the matter must receive a determination by the question, or be laid aside by the general sense of the House, before another be received.

19. That when the Speaker, (the House calling for a question) is putting the same, any member that hath not spoken before to the matter, may stand up before the negative be put.

20. That every question be first put in the affirmative and then in the negative, to which question every member shall give his opinion one way or the other; and the Speaker is to declare whether the yeas or nays have it, which is to stand as the judgment of the House, unless any member call for a division, in which case, the Speaker shall divide the House.

21. That, if in debate, there arise more questions than one, and it be contended which question shall be first put, the question first moved and seconded is regularly to be first put, unless it be laid aside by general consent.

22. That when any question is proposed, any member may call for a previous question, whether such question shall now be put; and, being seconded, the previous question shall be put accordingly; and, if it be determined in the affirmative, the original question shall be put immediately, without any addition, alteration, or further debate.

23. That although a member has spoken twice to the substance of a question, he shall be at liberty to speak to the form, keeping himself to that only, and not going into the merits of it.

24. That during any debate, any member, though he has not spoken to the matter, may rise and speak to the Orders of the House, if they be transgressed, in case the Speaker do not; but, if the Speaker stand up at any time, he is first to be heard, and, while he is up, the members must keep their seats.

25. That every bill shall pass on to a second reading without any question or debate thereon, unless it carry matter of apparent injury to the Commonwealth.

26. That the vote of the Speaker shall be counted on all questions; and, whenever the number of votes shall be equal, the question shall be considered as decided in the negative.

27. That in the time of reading a bill, the House be not interrupted with any other business, unless the House should think it necessary.

28. That when a bill is thrice read, for good cause shown to the House, it may be recommitted; but, after it has passed, there shall be no further alteration thereof, in any point, except clerical errors, which may be rectified.

29. That when a bill or resolution from the House of Delegates is rejected or passed by the Senate, it shall remain under the control of the Senate for the space of two days, and the fact of the rejection or passage shall be then communicated to the House of Delegates.

30. That upon the motion of any member and having a second to their motion, the yeas and nays may be entered; and that any member or members, hath or have a right to enter a protest on the Journals, on the determination of any Act, Resolution, or Question.

31. That the Speaker, in case of indisposition, or for any other cause which to him shall seem sufficient, may call any member of the House to the chair as Speaker pro tempore, for any period not exceeding one day.

32. That no committee of the Senate, other than the Committee of the Whole, shall consist of more than seven members, except the Committee of Internal Improvement, which shall consist of nine.

33. That there be a Standing Committee to be denominated the Committee of Claims, to whom shall be referred, all bills extending relief to individuals by the remission of fines, penalties or amercements, or by the payment of money out of the public treasury.

34. That there be a Standing Committee to be denominated the Committee of Internal Improvement, to whom shall be referred, all bills and resolutions affecting the Fund of Internal Improvement.

35. That there be a Standing Committee to be denominated the Committee of General Laws, to whom shall be referred, all bills containing provisions of a general nature, not referrible to any other Standing Committee.

36. That there be a Standing Committee to be denominated the Committee of Courts of Justice, and to consist of not fewer in number than three nor more than five, to which all subjects and matters that concern or relate to Courts of Justice, and the rights of persons and property, as ordinarily asserted therein, and the forms or modes in which such rights are asserted, shall be referred.

37. That all bills and resolutions proposing to construct a road, bridge, or canal, not affecting the Fund of Internal Improvements, shall be referred to the Committee of Internal Improvements, unless otherwise ordered by the Senate.

38. That the Speaker be required to appoint a Standing Committee of the Senate at the beginning of each session thereof, whose duty it shall be to examine the Clerk's office of the Senate, to see that all papers belonging thereto are properly filed, labeled and put away in the presses, and that the books belonging thereto be chronologically arranged, and to make annual report thereof to the Senate.

On motion of Mr. Bouldin,

Resolved, That a Joint Committee be appointed to report whether any and if any, what joint or separate orders or rules can be adopted, which will aid in dispatching the business and in shortening the sessions of the General Assembly.

The Speaker laid before the Senate the following message from the acting Governor of the Commonwealth, which, being read, on motion of Mr. Carter of R., was ordered to be laid upon the table.

EXECUTIVE DEPARTMENT, December 5, 1843.

Fellow-Citizens of the Senate and House of Delegates:

By the failure of the last Legislature to fill the office of Governor, then vacant, the duties of that office devolved on me; and in pursuance of one of those duties I now proceed, under the requirement of the Constitution, to call your attention to the consideration of such subjects as I deem expedient.

Whilst there are many topics which I might discuss and present to your consideration, yet there are only a few subjects which I deem of sufficient magnitude to occupy a large space in a communication of this character, and in relation to these even I shall be as brief as possible.

In relation to all merely local questions, you, being fresh from the people, know better than I possibly can, their wants, and I am confident that with a knowledge of the wants of the people, I need not urge upon you any specific course. You and I are alike the representatives and agents of the people, selected by them to do their business, and it becomes us either to carry into effect their wishes, or to return to them the offices we hold, that they may be filled by such persons as can consistently with their sense of right conform their actions to the views of the constituency. If any other theory than this be adopted, all proper restraint over the representative is destroyed, and the people instead of being sovereign become the mere tools of political aspirants.

In a time of profound peace, which has continued for many years, with abundant crops, a daily development of new sources of wealth, and a plethoric condition of the money market of the world, we find ourselves greatly involved in debt, property of almost all sorts reduced in value, and the credit of the States and people nearly annihilated.

The question naturally presents itself, why is this condition of things, and by whose agency has it been produced? Our citizens being all divided into political parties charge each other with being the cause; and I am very much inclined to believe that in this there is much justice.

If we look abroad for a solution of our condition, we can find nothing in the history of the past from which we can draw the least aid. Look to England, to which perhaps we have accustomed ourselves to look; too much already, and what do we see? A nation with mineral and agricultural resources hardly exceeding Virginia, with a public debt about twenty times as large as the debts of the Federal and State Governments altogether, borrowing money of any of the nations of the world without difficulty, at from two to three per cent. interest, whilst our Federal Government finds great difficulty in borrowing small sums at six per cent., and the State Governments cannot borrow upon even as good terms as those. I will now proceed to point out what I consider to be the cause of our present embarrassment and difficulties, and in doing so I shall be very plain, as I am writing for the whole community and not for a party.

In looking into the past legislation of the Federal and most of the State Governments, I think I see much to have produced the present condition of things. About 1830 both the Federal and State Governments were clear of debt, or very nearly so. Our own Virginia owed nothing of importance: the receipts into the treasury were abundantly more than sufficient to meet the demands upon it. Thus things continued until about 1833, when the receipts into the treasury were so much more than the demands upon it, that the Auditor and Treasurer then actually advised a reduction of the taxes. About this time the Legislature entered largely into the spirit of internal improvements, which had been, as it was thought, fully tested by some of our sister States, and promised most glorious results. In 1832, the act incorporating the present James river and Kanawha company was passed, and several railroad companies were either incorporated or surveys ordered about the same time. The State took stock in most of these companies, and appropriations were made in aid of the Chesapeake and Ohio canal, besides many minor works. In the course of a few years large sums of money had to be raised by the State. During the rage of the internal improvement fever, there were in the Legislature two internal improvement parties, one much larger than the other, both equally desirous of improving the State. The larger portion of the party were headed by gentlemen of the first respectability and talents in the State; gentlemen who had devoted much of their time to the investigation of the subject of internal improvement. They were always ready to go for any internal improvement scheme; and they were ready to bor-

row money to any amount. They had satisfied themselves, and labored to convince others, and unfortunately for the State, succeeded too well in doing so—that for the State to borrow money for internal improvements was far her to incur no risk, as the improvements would yield a revenue as they progressed, adequate to meet the interest on the loan; and as soon as completed, would yield income enough to pay both principle and interest. The smaller portion of the party insisted that the revenue to be derived from the works in an unfinished condition, were too uncertain to be relied upon to meet the interest upon the loans, and that the taxes ought to be increased to at least the probable demand upon the treasury. Their arguments unfortunately proved insufficient to convince, and loan after loan was made without any means being provided to meet the interest annually, or to pay the principal when it should fall due.

By the foregoing means, a debt amounting to about seven million six hundred and fifty thousand dollars, was created, of which individuals in the State hold about two million six hundred thousand dollars, the banks of the State about seven hundred and seventy thousand dollars—three hundred and fifty thousand of which is the temporary loan—and the State and State institutions about one million four hundred thousand dollars; in all about four million seven hundred and seventy thousand dollars is owned by the State and her citizens. By citizens of other States in the United States and the District of Columbia, about six hundred and ten thousand dollars is held, and about two million three hundred thousand dollars, the balance of our debt, is owned by subjects of Great Britain, France, Germany and Switzerland. The State owns of bank and other stocks about twelve million five hundred thousand dollars.

The internal improvement debt of the State during the past fiscal year was increased about three hundred and fifty thousand dollars, of which two hundred and fifty thousand dollars was loaned the James river and Kanawha company, and one hundred thousand dollars, the balance, was paid by the Board of Public Works in compliance with contracts previously entered into by that Board under directions of the Legislature.

Having stated the debt of the State and its resources, the question naturally presents itself to one unacquainted with the facts, How is it that a State with resources nearly double its liabilities independent of all taxes should be embarrassed in its financial condition?

The answer is a plain one. The interest upon the debt of the State is certain to be called for when it becomes due and must be paid; the funds held by the State (and which constitute her resources) except her bank stock, yield very little or no revenue, scarcely any thing goes into the treasury from them.

Some of the States, in consequence as they allege of their having been cheated, refused to pay the interest upon money which it is alleged they borrowed; and capitalists, seeing they could resort to no remedy to enforce payment, became suspicious of the credit of the States. Many holders of State bonds forced them into the market, and being sold whilst distrust rested upon them, they fell much below their nominal value.

Several of the Legislatures of the States have failed or refused to tax the people to meet the interest of their State debt, and all have shown the greatest reluctance to do so. Moneyed men see this, and very rationally conclude that if the Legislatures refuse to lay taxes or provide in some other way for the payment of the interest of the State debt, it will be difficult ever to induce them to tax the people to pay the principal.

I am much inclined to think that the Legislatures of the different States have, by the creation of private joint stock companies and other acts of private incorporation, contributed more to the present state of things than all other causes combined. By the incorporation of many of these companies, an opportunity has been afforded to many base and dishonest men to rob and cheat our people. It is very true that the first projectors of some of these acts of private incorporation have been, together with all who had any thing to do with them, ruined. But it is equally true that many acts of private incorporation have been obtained by individuals that they might, under the sanction of law, with the greater facility, perpetrate the grossest frauds upon the community. By the investment of money in these various schemes, a vast amount of capital was diverted from its legitimate channel, which has not yet found its way back. Confidence between man and man became shaken by these frauds, and when suspicion was aroused as to the debts of the States, the demand for money increased, and under the effects of the panic thus created, States and individuals alike failed. Thousands of the active business men of the country sunk under the times: the disappearance of each one only increased the gloom, and the people began to cry aloud to their respective governments for relief.

The government of the United States was looked to by many, and the tables of the two houses of Congress were almost pressed down under the weight of the petitions which were heaped on them.

Congress took the subject up and resolved on doing something; truly fortunate would it have been if they had done nothing.

The result of their labor was the passage of a bankrupt law, which has entirely prostrated every thing like confidence and credit. There never has been, and there never can be, any legislation devised by which individual debts can be paid. No government has ever existed dishonest enough to tax the thrifty and industrious for the sole benefit of the slothful and lazy. Such a law would be more odious than an agrarian law; for by it the deserving would have at least their ratable share in common with all, without entirely removing the incentive to honest industry, whilst the law to take from the industrious citizen the fair product of his labor, would remove every inducement to honest industry. He who looks to the government to pay his debts or provide the means to do so, will surely be disappointed and in the end, ruined. The government cannot, whilst it acts only within the sphere for which all good governments are formed, do any thing to benefit one portion of the people to the inconvenience or injury of the other. All good citizens are entitled to the protection of the law, no one class more than another; and hence I have always looked upon all relief

and stay laws" as wrong. What benefit can result to a community from a stay law? None, literally none, unless it be purchased at the sacrifice of justice. If a stay law be passed merely to defer the payment of debts, it can do no good; on the contrary, I think it will be productive of harm. If the payment of debts be deferred, the amount will most certainly be increased by interest, and probably costs also. I hold that there is not more than one man in fifty engaged in business who can afford to pay six per cent. interest for money; and hence it seems to me that the sure effect of such a law would be the ruin of the debtor class.

Having briefly pointed out what I conceive to be some of the causes of our present condition, you may, and no doubt do, feel a little curious to see what remedy I recommend to improve the situation of the State and people; and I confess that I have with the greatest anxiety reflected on that question. Unacquainted as I am with either the science or philosophy of finance, I feel entirely unable to do more than present to your consideration the following as a plan by which public credit can in some measure be restored. I do not offer it to the public as an infallible panacea for all the ills of life, nor am I vain enough to view it as a specific by which the present condition of things is to be changed and bettered as instantaneously as a magician would change his toy of deceit. Believing that the situation of the State and its citizens can never be bettered until confidence be restored, and that it can be done only by giving to the world practical evidence that the Legislature will do all it can to place the State in the condition of one determined to be honest, I have to recommend to your consideration the policy and propriety of increasing the taxes so as to cause the supply of funds to the treasury to be certain and equal to the demands upon it. This will only require a very small increase upon the present taxes. The receipts into the treasury from taxes are now about six hundred and fifty thousand dollars, independent of dividends upon stocks. The regular demand upon the treasury for all purposes during the present fiscal year will not be more than about nine hundred and six thousand dollars, exclusive of the sum of three hundred and sixty thousand dollars, a loan which was made under the authority of a law of the last Legislature to meet the demands upon the treasury. I would suggest the propriety of creating a loan for a few years for the sum of four hundred thousand dollars, which will be sufficient to supply the present deficiency in the revenue. The revenue of the State has hitherto consisted of taxes, licenses, militia fines, &c. and dividends upon banks and other stocks owned by the State. The dividends upon stock are two uncertain to be relied upon as a permanent source of revenue. By relying upon them, the temporary debt of the State has been created. During a part of the time that the banks were in a suspended condition, they were to a certain extent a tax upon the treasury. The revenue of the State is redeemable in the notes of the banks, and the interest on the debt of the State is payable at its treasury in specie or its equivalent. The difference between the value of bank notes and specie had to be borne by the people.

In order to pay off the debts of the State, I would recommend that the dividends to be received from all stocks be first appropriated to the payment of the four hundred thousand dollars which may be borrowed to supply the present deficiency in the revenue, and then set apart as a sinking fund, by which, without any greatly increased burden upon the people, the debt of the State as it falls due can be paid off. I deem it a matter of paramount importance for the State to show her determination to fulfil all her engagements. By doing so she will regain credit and confidence, which will at once enure to the benefit of the people. Whilst a suspicion rests on the credit of the State, the credit of the individual citizens must suffer. As soon as it is seen that the people are willing to be taxed to pay the debts of the State, debts to the creation of which many were opposed, their standing and character as a nation will be established. On the contrary, if each individual had met all his obligations, if there had been no failure on the part of any citizen to meet his obligations for the last ten years, and the Legislature were to pass a law repudiating the State debt, and expunging all private debts, and repealing all the existing laws for the collection of debts, no person would trust Virginia or her people. Wholesome laws, such as we now have for the enforcement of the payment of just debts, are the wisest and best relief laws that could be enacted.

I have no doubt that our people will, if let alone by the Legislature, in a very short time pay their debts, and when they do, profiting by the past, they will go in debt no more. By industry and economy they will be able to supply their reasonable wants; and instead of the rising generation being taught lessons of extravagance and idleness, they will have impressed upon their young minds the salutary warnings of their parents, never to go in debt beyond their means, under the fallacious hope that the times will be better than they then are.

Entertaining as I do, the opinion, "that a well regulated militia, composed of the body of the people trained to arms, is the proper, natural and safe defence of a free State," I most respectfully invite your attention to the existing militia laws of the State. By the laws as they now are it seems to me that it cannot be hoped even that the militia can ever be well trained. I would recommend the adoption of some system by which the officers would be better trained, and the soldiers more frequently required to muster. The present system is radically defective, and in no part of it more so than in relation to fines. The poorer part of the people are mostly burdened by the present assessment of fines. The poor man is unable to pay the fines, small as they are, and hence he is compelled to attend muster. The rich man and the man of business, who could without much inconvenience go to muster, seldom ever muster. This begets dissatisfaction with the system on the part of the poor, and keeps down every thing like a proper military spirit. I would suggest the policy and propriety of increasing the fines for a failure to muster, to such a sum as would compel the attendance of all. The poor could not complain at such a law, because they are now bound to muster; and the rich ought not to complain at being forced to render their fair proportion of duty to the State.

I am pleased to inform you that the banks, without waiting for the time fixed by the last Legislature for the resumption of specie payments, commenced paying specie for their notes about the 15th of September last. This move necessarily compelled the banks to curtail their circulation, which I doubt not will in the end be highly beneficial to those institutions and the people, if another suspension should not occur; and I have not the least reason at this time to expect so disastrous a state of things.

I will mention, in connection with the banks, that I appointed Mr. John N. Tazewell, a gentleman in every way qualified for the place, the proxy to represent the interest of the State in the stock held by her in the Exchange Bank at Norfolk. Mr. Tazewell appeared at the meeting, and claimed the right to vote for directors, which was denied him by the private stockholders, and he was excluded by their votes.— Agreeing with Mr. Tazewell that he had the right, under the law, to vote, I submitted Mr. Tazewell's remonstrance against the course of the private stockholders to the Attorney General for his opinion, which he gave, and in which he sustained the position of the private stockholders. Some legislation upon the subject would seem to be necessary, to avoid any difficulty in future.

The act passed by the Legislature March 13, 1841, entitled "an act, to prevent the citizens of New York from carrying slaves out of this Commonwealth, and to prevent the escape of persons charged with the commission of any crime," went into operation on the first day of May, 1842, in consequence of the failure on the part of the constituted authorities of New York to comply with our reasonable demands. This law so far, I doubt not, has been productive of good, as I have not heard of the slightest suspicion being entertained by any one that a slave has been carried away by a northern vessel, since it went into operation. I regret much the necessity for this law or any similar one; but it was forced on us as the only peaceable means of protecting our property against the depredations of the foolish and mad abolitionist. Unless something speedily be done by the great body of our northern brethren to arrest the mischievous designs of these fanatics, it will become a question for the whole south to consider whether they will longer continue in union with a people who are resorting to every art and device they can to rob them of their property.

By reference to the report of the Visitors to the Military Institute, it will be seen that the institution is in a flourishing condition, and bids fair to accomplish all its founders anticipated. They ask for a small appropriation, and I think in justice they are entitled to it.

I will suggest to you the propriety of providing buildings for the Medical Department of Hampden Sydney College located in this city. A few medical gentlemen founded the institution four or five years ago; and whilst they have had to encounter many obstacles, yet they have so far overcome all as to satisfy the most sceptical that this institution is susceptible of being made greatly beneficial to the State. There are now about sixty students at the College, which is a clear saving to the State of at least twenty-five thousand dollars per year.

During the time that the institution may remain in the hands of its founders, there is no apprehension for its success; but if they were to

die or resign, there might be danger of the institution going down. The house which is now used as a College may be required by its owners for other purposes; and if it were, the expense of fitting up another would be more than any private citizens ought to encounter, without a greater prospect of individual gain than could be anticipated by such an outlay. It could not possibly cost more than some fifteen or twenty thousand dollars to procure buildings such as are needed. And cannot the State, even in these times, afford to lay out that sum to cause at least from twenty to twenty-five thousand dollars to be retained in the State among our people, which would otherwise be sent abroad to be spent elsewhere?

I respectfully refer you to the report of the Board of Public Works, as containing a full statement of the internal improvements of the State; and although the finances of the State are in a depressed condition at this time, yet it will be a question for you to decide whether you will stop all improvements at this time, or make such appropriations in aid of some of the works already commenced as will prevent the entire ruin of the works, and the loss of all the money that has been expended on them. I confess this is a grave question; but it seems to me that true economy might require that the works should not be stopped.

I refer you to the reports of the Superintendent and directors of the Penitentiary and the Armory, for the condition of those institutions.

The report of the Adjutant General will show the condition of the militia, arms, &c. I respectfully invite your attention to the consideration of the suggestions he makes for the improvement of the present system, being himself a most excellent officer, and having much experience derived from actual service. I think his opinion entitled to the greatest respect. His suggestions about the reinstatement of Brigade Inspectors are sustained by the opinion of all the officers with whom I have conversed; and whilst I do not profess to be a soldier, yet I concur entirely with his views. If a uniform militia system be desirable, it seems to me indispensable that there should be persons appointed to teach the officers.

The reports of the Auditor and Treasurer will show the condition of the finances. It will be necessary for you, without delay, to make some provision to supply the treasury with funds to meet the demands upon it, as the payment of the three hundred and fifty thousand dollars, the amount of the temporary loan on the 15th of December, will deprive it of the means to pay the interest on the State debt, which will fall due on the first of January. If the loan of four hundred thousand dollars, which I have already recommended, were authorized by law, at a rate of interest which would insure its being taken, and the banks of the State authorized to make the loan, I think it probable they would do so; especially if the dividends upon stocks were set apart as a fund out of which it would certainly be paid in a few years.

I received from the treasury department at Washington, on the 14th of November, a letter informing me that there were thirty-seven thousand dollars and forty-eight cents in the treasury of the United

States, the distributable portion of Virginia arising from the sales of the public lands, which would be paid to the legally constituted agent of the State. I have done nothing in the matter; and I now submit the whole subject to your consideration, that you may take such action upon it as to you may seem proper.

I have received from the State Department at Washington, a number of boxes of documents containing the aggregate returns of the sixth census and other statistical information, and also, several packages from the Secretary of the United States Senate, containing the laws and documents in relation to the public lands. All of which, together with copies of the letters received by me from those officers, are at your disposal.

General Philip Aylett has resigned his commission as brigadier general of the 14th brigade. It will be your duty to fill the vacancy.

I have received resolutions and other documents from the States of Maine, Massachusetts, Connecticut, Rhode Island, New York, Mississippi and Kentucky, all of which are herewith submitted to you.

The quarterly reports of the banks have been regularly made to this department; and I now hand them over to you.

In conclusion, I have to express the hope that your action, be it what it may, will result in the general good of all.

JNO. M. GREGORY.

The Speaker, also, laid before the Senate a letter from the Auditor of Public Accounts transmitting an account of the public revenue and expenditures for the last fiscal year, which, being read, on motion of Mr. Carter of R., was ordered to be laid upon the table.

The Speaker, also, laid before the Senate a letter from the Treasurer of the Commonwealth, communicating a report on the state of the treasury for the fiscal year ending with the 30th of September, 1842; which, being read, on motion of Mr. Bouldin, was ordered to be laid upon the table.

The Speaker, also, laid before the Senate a letter from the Second Auditor, containing the accounts of the Literary fund for the year ending the 30th of September, 1842, and the usual document relative to the transactions of the school commissioners, which, being read, on motion of Mr. Bouldin, was ordered to be laid upon the table.

On motion of Mr. Bouldin,

Resolved, That when the Senate adjourns to-day, it will adjourn until to-morrow twelve o'clock.

On his motion,

The Senate then adjourned accordingly.



TUESDAY, DECEMBER 6, 1842.

Robert A. Thompson, Esq., a Senator in the fourth class, returned to represent the district composed of the counties of Kanawha, Mason, Cabell, Logan, Nicholas, Fayette, Jackson and Wayne, being duly qualified, appeared and took his seat in the Senate Chamber.

On motion of Mr. Moffett,

The Senate then adjourned until to-morrow twelve o'clock.

WEDNESDAY, DECEMBER 7, 1842.

Ordered, That a Committee of Privileges and Elections be appointed; and Messrs. Thompson, Campbell, Newman, Carson, Penn, Carter of C. C., and Bondurant were accordingly appointed a committee for the purpose, with power to adjourn from day to day, to examine the certificates of members returned to serve in the Senate, to take into consideration all such matters as shall come in question respecting returns and privileges and report their proceedings thereupon to the Senate; and to send for persons, papers and records for their information.

Ordered, That a Committee of General Laws be appointed; and Messrs. Atkinson, Bouldin, Conrad, Woolfolk, Langhorne, Baptist and Newman were accordingly appointed a committee for the purpose.

Ordered, That a Committee of Courts of Justice be appointed; and Messrs. Peyton, Bouldin, Woolfolk, Preston, Thompson, Conrad and Taylor were accordingly appointed a committee for the purpose.

Ordered, That a Committee of Internal Improvement be appointed; and Messrs. Coeke, McMullen, Scott, Willey, Rogers, Bondurant, Langhorne, Piper and McCauley were accordingly appointed a committee for the purpose.

Ordered, That a Committee of Claims be appointed; and Messrs. Carter of R., Preston, Willey, Custis, Guerrant, Shinn and Cox were accordingly appointed a committee for the purpose.

Ordered, That a Committee to examine the Treasurer's accounts be appointed; and Messrs. Thornton, Baptist, McMullen, Bondurant, Guerrant, Rogers and Sloan were accordingly appointed a committee for the purpose.

Ordered, That a Committee to examine the Penitentiary institution jointly with a committee from the House of Delegates, be appointed; and Messrs. Moffett, Scott, Penn, Cox, Custis, Carter of C. C. and Campbell were accordingly appointed a committee for the purpose.

Ordered, That a Committee to examine the Armory jointly with a committee from the House of Delegates, be appointed; and Messrs. Carson, Carter of R., Sloan, Moffett, Shinn, McCauley and Rogers were accordingly appointed a committee for the purpose.

Ordered, That a Committee to examine the Library jointly with a committee from the House of Delegates, be appointed; and Messrs. Bouldin, Peyton, Atkinson, Cox, Thornton, Taylor and Piper were accordingly appointed a committee for the purpose.

Ordered, That a Committee to examine the Clerk's office be appointed; and Messrs. Woolfolk, Bondurant, Preston, Scott, Piper, Carter of C. C. and Shinn were accordingly appointed a committee for the purpose.

Ordered, That Mr. Bouldin inform the House of Delegates that the Senate have adopted a resolution for the appointment of a joint committee to report whether any, and, if any, what joint or separate orders or rules can be adopted, which will aid in dispatching the business and in shortening the sessions of the General Assembly, and request their concurrence therein.

On motion of Mr. Thornton,

The Senate then adjourned until to-morrow twelve o'clock.

THURSDAY, DECEMBER 8, 1842.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, December 7, 1842.

The House of Delegates agree to the Resolution of the Senate for the appointment of a joint committee to report whether any, and if any, what joint or separate orders or rules can be adopted which will aid in dispatching the business and in shortening the sessions of the General Assembly, and have appointed a committee on their part.

Ordered, That Messrs. Bouldin, Atkinson, Preston, McMullen and Conrad be appointed a committee on the part of the Senate, in pursuance of the said Resolution.

On motion of Mr. Bondurant,

Resolved, That when any Senator selects a seat in the Senate he shall have the right to retain the same during his term, unless he voluntarily relinquishes the same, and selects some other vacant seat.

Mr. McMullen offered a Resolution for the appointment of a committee to examine into the condition of the Banks of the Commonwealth, which, being read, on motion of Mr. Bouldin, was ordered to be laid upon the table.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, DECEMBER 9, 1842.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, December 8, 1842.

The House of Delegates have adopted a resolution for proceeding by joint vote with the Senate to the election of a public printer, on Saturday next for one year: in which they request the concurrence of the Senate.

The said Resolution, being delivered in, and twice read, on the question put thereupon, was agreed to by the Senate.

Mr. Atkinson offered the following Resolution:

Resolved, by the General Assembly, That the Governor of this Commonwealth be and he is hereby requested, to cause to be collected as soon as practicable, the debt due "to the Washington Monument Fund," and to invest the same in bonds of the State of Virginia, bearing an interest of 6 per cent. per annum, to be paid semi-annually, and that the interest arising from such investment of the said fund, shall also, be semi-annually invested, or as soon thereafter as the same can profitably be done; according to the act of the General Assembly, passed 22d of January, 1828, entitled, "An act, to invest the Washington Monument Fund."

Mr. Conrad then offered the following as a substitute for the said Resolution:

Resolved, That the joint committee appointed to examine the Treasurer's accounts, be directed to inquire into the safety of the present investment of the Washington Monument fund; and the expediency of having the same collected and re-invested in the Commonwealth's hands.

And, on the question put thereupon, it was disagreed to by the Senate.
Mr. Conrad then moved that the said Resolution be laid upon the table.

And, on the question put thereupon, it was disagreed to by the Senate.
Ayes 12. Noes 17.

The ayes and noes, on that question, being required by Mr. Woolfolk, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cocks, Peyton, Baptist, Custis, Conrad, Preston, Carter of C. C., Carter of R., Langhorne and Scott—12.

Noes—Messrs. Hunton (Speaker,) Carson, Willey, Atkinson, Woolfolk, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—17.

And, on the question being then put upon the said Resolution proposed by Mr. Atkinson, it was agreed to by the Senate.—Ayes 22; Noes 8.

The ayes and noes, on that question, being required by Mr. Woolfolk, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Cocks, Peyton, Carson, Willey, Atkinson, Woolfolk, Bouldin, Penn, Carter of R., Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—22.

Noes—Messrs. Campbell, Baptist, Custis, Conrad, Preston, Carter of C. C., Langhorne and Scott—8.

Mr. McMullen offered a Resolution for the appointment of a committee to inquire whether any, and if any, what reduction can be made in the expenses of the government, which, being read, on his motion, was ordered to be laid upon the table.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, DECEMBER 10, 1842.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, December 9, 1842.

The House of Delegates have adopted a Resolution to proceed by joint vote with the Senate on Thursday the 15th day of this month, to the election of a Governor: in which they request the concurrence of the Senate.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Atkinson inform the House of Delegates thereof, and of the agreement of the Senate to the Resolution for the election of a Public Printer.

Ordered, also, That Mr. Atkinson inform the House of Delegates of the agreement of the Senate to the Resolution concerning the Washington Monument fund, and request their concurrence therein.

On motion of Mr. McMullen,

The Resolution offered by him on Thursday last for the appointment of a committee to examine into the condition of the Banks of the Commonwealth, was taken up; and after some discussion, on motion of Mr. Langhorne, again ordered to be laid upon the table.

On motion of Mr. Atkinson,

Resolved, That a standing committee to consist of not less than three nor more than five shall be appointed to unite with the committee of the House of Delegates, to examine the bonds of public officers.

Ordered, That Messrs. Atkinson, Conrad and Peyton be appointed a committee in pursuance of the said Resolution.

The Senate proceeded pursuant to the resolution agreed to yesterday, by joint vote with the House of Delegates, to the election of a Public Printer.

The Clerk called the roll, whereupon it appeared that there was an unanimous vote of the members present in favour of Samuel Shepherd, to wit:—Messrs. Hunton (Speaker,) Campbell, Peyton, Carson, Willey, Atkinson, Baptist, Bondurant, Castis, Conrad, Preston, Penn, Carter of C. C., Carter of R., Moffatt, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson.

Ordered, That Messrs. Scott, Carter of C. C., Newman, Preston and Thornton be appointed a committee to examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after returning into the Chamber, Mr. Scott reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found an unanimous vote in favor of Samuel Shepherd, who was thereupon declared by the Speaker duly elected Public Printer, for one year.

On motion of Mr. Scott,

The Senate then adjourned until Monday next twelve o'clock.

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MONDAY, DECEMBER 12, 1842.

On motion of Mr. McMullen,

The Resolution offered by him on Friday last, and ordered to be laid upon the table, was taken up; and on the question put thereupon, agreed to as follows:

Resolved, That a joint committee be appointed to inquire whether any, and, if any, what reduction of the expenses of the government can be made, and that said committee report thereon.

Ordered, That Mr. McMullen inform the House of Delegates of the agreement of the Senate to the said Resolution, and request their concurrence therein.

Mr. Peyton offered the following Resolution, which, on motion of Mr. Bouldin, was ordered to be laid upon the table.

Resolved, That the Senate will, with the consent of the House of Delegates, take a recess from and after the 17th instant, until Friday the 6th of January next.

On motion of Mr. McMullen,

The Senate then adjourned until to-morrow twelve o'clock.

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TUESDAY, DECEMBER 13, 1842.

Mr. Bouldin from the joint committee appointed to inquire what, if any, joint orders or rules can be adopted to shorten the sessions of the General Assembly, made the following report, which, being read, on his motion, was ordered to be laid upon the table.

The Joint Committee appointed to report what, if any, joint or several orders or rules can be adopted to expedite the business, and shorten the sessions of the General Assembly; report, that they have carefully considered the subject, and find that little can be done by orders or rules.

In Legislative Assemblies, the progress of business mainly depends on the personal conduct and good sense of each man in performing duties, both as an individual and as a member of the aggregate body. So various and innumerable are the occasions on which each member must act by the guidance alone of his own sense of propriety, that rules, however numerous and explicit, could not direct or control him, nor could a presiding officer, however faithful, always enforce those rules or orders, when they apply. But your committee are constrained to admit that there is just cause for the complaint so frequently made, of the long sessions of the General Assembly, and consequent expenses to the public. It is true, that this lengthened session is in some measure to be attributed to the increase of the population of the State, and change of the frugal and simple habits of our people, which consequently brought new and complicated subjects of legislation; some of which, in the earlier stage of the republic, were thought to be inconsistent with our institutions.

There are some things which your committee will mention, that are in some degree the cause of these protracted sessions, and to which a remedy may be applied by orders and rules; one of these, is the dilatory action of committees; especially of those charged with the examination of the public offices and accounts, and with the subjects of taxation and appropriation. Another is the unrestrained liberty of introducing at any time of the session, private or individual petitions. Another, the delay in making elections.

But your committee regret that there is one great evil to which they cannot recommend any remedy, other than that which now exists. They allude to the extended and irrelevant debate, so much indulged in of late years, causing delay; and the public to turn away from the report of such discussions with disrelish and disappointment, instead of looking into them with avidity, for the information which they might and should impart: Your committee recommend the annexed joint and separate orders and rules to be adopted, as they apply:

JOINT ORDERS AND RULES.

1. That on the tenth day of the session, the election of a Governor shall be gone into.

2. That on the same day, the election of Counsellor shall be gone into immediately after that for Governor is disposed of; and if there should not be time on that day, it shall be gone into on the next day.

3. If the committees charged with the examination of the public offices and accounts, do not report finally thereon in the first thirty days of the session, the Speaker of each House shall forthwith appoint another committee.

4. The chairman, or in his absence, the clerk of each standing committee, shall keep a journal of the attendance of each member at each sitting, and make report thereof to the Clerk of the House on Monday of each week, which report shall be entered on the Journal of the

House; and a member shall not absent himself from a committee during its session without the consent of a majority of the committee.

SEPARATE RULES OF HOUSE OF DELEGATES.

1. The committee charged with the Tax Bill shall report it before the tenth of January, or the reason for not doing so, and on the fourth day after the bill is reported, it shall be the order of the day for that and every subsequent day until it is finally disposed of. But if any election mentioned in the foregoing joint orders and rules, should happen on the said fourth day or any other day for acting on the Tax Bill, it shall be the order of the day for the day after such election shall be disposed of. And if the committee fail to report the Tax Bill, or a sufficient reason for not doing it, the Speaker shall forthwith appoint another committee.

2. The committee whose duty it may be to report the Appropriation Bill, shall, within the first twenty days of the session, report a bill making provision for the regular and known expenses of the government; and in case of failure, the Speaker shall forthwith appoint another committee.

3. Every private petition shall be presented within the first twenty days of the session, and shall not be received after that time, unless the subject matter of it originated after that time, or so near to it that the petition could not have been transmitted in time.

On motion of Mr. Bouldin,

Ordered, That 50 copies of the said report be printed for the use of the members of the Senate.

On motion of Mr. Peyton,

The Senate then adjourned until to-morrow twelve o'clock.



WEDNESDAY, DECEMBER 14, 1842.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, December 13, 1842.

The House of Delegates have passed a bill, entitled, "An act, fixing the period when the Gubernatorial term of office shall commence; and, have adopted a resolution instructing the Senators and requesting the Representatives in the Congress of the United States to use their best efforts to procure the passage of a bill refunding a fine to General Andrew Jackson: in which bill and resolution they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be read a third time.

On motion, it was read the third time, and, on the question put thereupon, passed by the Senate. Ayes 17. Noes 8.

The ayes and noes, on that question, being required by Mr. Peyton, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Bouldin, Penn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—17.

Noes—Messrs. Peyton, Conrad, Preston, Carter of C. C., Carter of R., Sloan, Langhorne and Rogers—8.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

The Resolution in the said communication mentioned was as follows:

Resolved, by the General Assembly of Virginia, That our Senators in the Congress of the United States be instructed, and our Representatives requested to use their best efforts to procure the immediate passage of a bill, refunding to General Jackson the amount of a fine with interest, that was imposed on him at the time of the attack and defence of the City of New Orleans in 1815.

And, on the question being put upon the said Resolution, it was agreed to by the Senate.—Ayes 20. Noes 10.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Langhorne, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Walle, Atkinson, Baptist, Woolfolk, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—20.

Noes—Messrs. Campbell, Cocke, Peyton, Bandurant, Conrad, Preston, Carter of C. C., Carter of R., Langhorne and Rogers—10.

Ordered, That the Clerk inform the House of Delegates of the agreement of the Senate to the said Resolution.

On motion of Mr. Peyton,

The Resolution offered by him on Monday last for a recess of the Senate, was taken up.

And, on the question being then put upon the said Resolution, it was agreed to by the Senate.

Ordered, That Mr. Peyton inform the House of Delegates thereof, and request their concurrence therein.

On motion of Mr. Conrad,

The Senate then adjourned until to-morrow twelve o'clock.

THURSDAY, DECEMBER 15, 1842.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 14, 1842.

The House of Delegates have adopted a resolution, to proceed by joint vote with the Senate on the eleventh day of January next, to the election of a Brigadier General of the 14th Brigade, to fill the vacancy caused by the resignation of Brigadier General Philip Aylett: in which they request the concurrence of the Senate.

They agree to the Resolution of the Senate for the appointment of a joint committee to inquire whether any, and if any, what reduction of the expenses of the government can be made; and have appointed a committee on their part.

And have passed bills, entitled, "An act, changing the time of holding the fall quarterly term of the county court of York county," No. 5; "An act, changing the times of holding the courts of Carroll county," No. 6; "An act, to increase the reward for killing wolves in the county of Madison," No. 4; and, "An act, to authorise a sepa-

rate election at Keysville in the county of Charlotte," No. 3: in which bills they also request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being, also, delivered in, and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To authorise a separate election at Keysville in the county of Charlotte," on motion, was read the second time, and ordered to be committed to Messrs. Bouldin, Cox and Scott.

The bill, "Changing the time of holding the fall quarterly term of the county court of York county," on motion, was, also, read the second time, and ordered to be committed to Messrs. Custis, Carter of R. and Carter of C. C.

The bill, "To increase the reward for killing wolves in the county of Madison," on motion, was, also, read the second time, and ordered to be committed to Messrs. Woolfolk, Cocke and Guerrant.

The bill, "Changing the times of holding the courts of Carroll county," on motion, was, also, read the second time, and ordered to be committed to Messrs. Piper, McMullen and Preston.

Ordered, That Messrs. McMullen, Atkinson, Rogers, Newman and Carter of C. C., be appointed a committee to act jointly with a committee from the House of Delegates on the Resolution relative to a reduction of the expenses of the Government.

The Senate proceeded, pursuant to the resolution, agreed to on Saturday last, by joint vote with the House of Delegates to the election of a Governor or Chief Magistrate of the Commonwealth for three years.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For James McDowell—Messrs. Hunton (Speaker,) Peyton, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Preston, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—22.

For William P. Taylor—Messrs. Thornton, Carter of R. and Langhorne—3.

For Benjamin W. Leigh—Messrs. Cocke and Carter of C. C.—2.

For John W. Jones—Mr. Cox—1.

For Samuel C. Anderson—Mr. Bondurant—1.

For William B. Preston—Mr. Conrad—1.

Ordered, That Messrs. Peyton, Thompson, Conrad, Taylor and Sloan be appointed a committee to examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after, returning into the chamber, Mr. Peyton reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found a majority of votes in favor of James McDowell Esq., who was thereupon declared by the Speaker duly elected Governor or Chief Magistrate of the Commonwealth for the period aforesaid.

On motion of Mr. Peyton,

The Senate then adjourned until tomorrow twelve o'clock.

FRIDAY, DECEMBER 16, 1849.

The Speaker laid before the Senate a letter from the acting Governor transmitting the annual report of the directors of the Penitentiary, which, being read, on motion of Mr. Thompson, were ordered to be laid upon the table.

Mr. Bouldin, from the committee to whom was committed the bill, "To authorise a separate election at Keysville in the county of Charlotte," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Piper, from the committee to whom was committed the bill, "Changing the times of holding the courts of Carroll county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Bouldin,

The report of the joint committee appointed to report what, if any, joint or several orders or rules can be adopted to expedite the business, and shorten the sessions of the General Assembly, was taken up.

Mr. Conrad moved that the further consideration of the said report be postponed indefinitely.

And, on the question put thereupon; it was disagreed to by the Senate. Ayes 12. Noes 14.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Conrad, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Conrad, Preston, Carter of C. C., Carter of R., Shinn, Scott, Taylor and Rogers—12.

Noes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Woolfolk, Piper, Bouldin, Penn, Sloan, McMullen, Guerrant, McCauley, Newman and Thompson—14.

And, on the question being then put upon the first resolution of said report, it was agreed to by the Senate.

On the question put upon the second resolution of said report, it was agreed to by the Senate.

On the question put upon the third resolution of the said report, it was agreed to by the Senate.

And, on the question being put upon the 4th resolution of the said report, it was disagreed to by the Senate. Ayes 9. Noes 17.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Carson, Willey, Woolfolk, Bouldin, Penn, Guerrant, Newman and Thompson—9.

Noes—Messrs. Cox, Campbell, Thornton, Cocke, Payton, Conrad, Preston, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Rogers and McCauley—17.

On motion of Mr. Woolfolk,

Ordered, That the said report be, again, laid upon the table.

On motion of Mr. Carson,

The Senate then adjourned until to-morrow twelve o'clock.



SATURDAY, DECEMBER 17, 1842.

The following message was received from the House of Delegates by Mr. Cowan:

Mr. Speaker,—The House of Delegates have agreed to a resolution for the appointment of a joint committee to inform James McDowell, Esqr., of his election as Governor or Chief Magistrate of the Commonwealth: In which they request the concurrence of the Senate.

The said resolution being delivered in, and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Messrs. McMullen, Scott and Moffett, be appointed a committee in pursuance of the said resolution.

Ordered, That Mr. McMullen inform the House of Delegates of the agreement of the Senate to the said resolution, and that they have appointed a committee on their part.

The following message was received from the House of Delegates by Mr. Edmunds:

Mr. Speaker,—The House of Delegates have passed the bill, entitled, "An act, authorising the Treasurer to make a loan or loans on behalf of the Commonwealth:" In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be read a third time.

On motion, it was read the third time, and on the question put thereupon, passed by the Senate.

Ordered, That Mr. McMullen inform the House of Delegates thereof.

Mr. Woolfolk, from the committee to whom was committed the bill, "To increase the reward for killing wolves in the county of Madison," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The following message was received from the House of Delegates by Mr. Watts:

Mr. Speaker,—The House of Delegates have passed the bill, entitled, "An act, extending the provisions of the act, authorising the banks to issue small notes:" in which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first time.

Mr. Boulton then moved that the said bill be laid upon the table, and made the order of the day for the tenth day of January next.

Mr. Boulton moved that the previous question be now put.

And, on the question put thereupon, it was agreed to by the Senate.
Ayes 12. Noes 10.

The ayes and noes, on that question, being required by Mr. Cocke, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Hunton (Speaker,) Carson, Willey, Woolfolk, Bouldin, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—12.

Noes—Messrs. Cox, Cocke, Bondurant, Piper, Preston, Penn, Carter of C. C., Carter of R., Sloan and Rogers—10.

And, on the question being then put upon the motion that the said bill be laid upon the table and made the order of the day for the tenth day of January next, it was agreed to by the Senate. Ayes 13. Noes 9.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Carson, Willey, Woolfolk, Bouldin, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—13.

Noes—Messrs. Cox, Cocke, Bondurant, Piper, Preston, Penn, Carter of C. C., Carter of R. and Rogers—9.

On motion of Mr. Preston,

The Senate then adjourned until Monday next twelve o'clock.

MONDAY, DECEMBER 19, 1842.

Mr. Bondurant offered the following Resolution:

Resolved, That when the Senate adjourns to-day, it will, with the assent of the House of Delegates, adjourn to meet on the ninth of January next.

And, on the question being put upon the said Resolution, it was agreed to by the Senate.

Ordered, That Mr. Bondurant inform the House of Delegates thereof, and request their concurrence therein.

The following message was received from the House of Delegates by Mr. Crutchfield:

Mr. Speaker,—The House of Delegates have agreed to a Resolution instructing the proxies of the State in the James river and Kanawha company, to vote for the postponement of the election of President and directors to an adjourned meeting; and, to a Resolution requesting the Governor to transmit to the Senators and Representatives in Congress, the Resolution relative to the fine imposed upon General Andrew Jackson: In which they request the concurrence of the Senate.

The said first Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

The said second Resolution, being, also, delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Bondurant inform the House of Delegates of the agreement of the Senate to the said Resolutions.

The following message was received from the House of Delegates by Mr. Powell of Fairfax:

Mr. Speaker,—The House of Delegates have agreed to the Resolution for a recess of the Senate.

On motion of Mr. Woolfolk,

The Senate then adjourned until Monday the ninth day of January next, twelve o'clock.

MONDAY, JANUARY 9, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, from Dec. 21, 1842, to Jan. 7, 1843.

The House of Delegates have passed bills, entitled, "An act, constituting a portion of Meherrin river a lawful fence," No. 7; "An act, incorporating the Norfolk Seamen's Friend Society," No. 8; "An act, authorising the officers of Patrick Henry Lodge of Independent order of Odd Fellows to hold a certain building therein mentioned," No. 9; "An act, to revive the act, entitled, an act, authorising a ferry from the lands of John Brown in the county of Mason, across the Ohio river," No. 11; "An act, releasing to Thomas Brosnahan the Commonwealth's right to a lot of land therein mentioned," No. 16; "An act, annexing to the county of Alleghany a part of the county of Monroe," No. 18; "An act, authorising additional trustees to the Northwestern Virginia Academy," No. 19; "An act, fixing the school quotas of Grayson and Carroll counties," No. 21; "An act, divorcing Jacob Plum from his wife Mary Jane," No. 22; "An act, changing the time of holding the Circuit Superior Court of Ohio county," No. 25; "An act, releasing to Jeremiah Kyle the Commonwealth's right to certain lands therein mentioned," No. 26; "An act, to ~~have~~ ^{have} two separate elections in the county of Nicholas, and one in each of the counties of Giles and Monongalia, to change the place of one, and the name of the village at the seat of justice for the county of Carroll," No. 28; "An act, changing the time of holding the first quarterly term of the Hustings Court of the town of Petersburg," No. 31; "An act, incorporating Kinsale Academy in the county of Nansemond," No. 33; "An act, to ascertain the school quotas of James City, York and Williamsburg," No. 35; "An act, to amend the seventh section of the act to provide for the opening and repair of the public roads, passed March 3, 1835," No. 36; "An act, incorporating the Farmers and Mechanics Institution of the town of Lynchburg," No. 37; "An act, prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines," No. 24; "An act, incorporating the trustees of the Union Sunday school of Richmond county," No. 32; and, "An act, divorcing Jacob Kerns from his wife Mahala," No. 38: In which, they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Divorcing Jacob Kerns from his wife Mahala," on motion, was read the second time, and ordered to be committed to Messrs. Willey, Newman and Thompson.

The bill, "Incorporating the trustees of the Union Sunday school of Richmond county," on motion, was also, read the second time, and ordered to be committed to Messrs. Carter of R., Taylor and Thornton.

The bill, "Releasing to Jeremiah Kyle the Commonwealth's right to certain lands therein mentioned," on motion, was also, read the second time, and ordered to be committed to the committee of Claims.

The bill, "To ascertain the school quotas of James City, York and Williamsburg," on motion, was also, read the second time, and ordered to be committed to Messrs. Carter of C. C., Taylor and Guerrant.

The bill, "Fixing the school quotas of Grayson and Carroll counties," on motion, was also, read the second time; and ordered to be committed to Messrs. Piper, Penn and McMullen.

The bill, "Annexing to the county of Alleghany a part of the county of Monroe," on motion, was also, read the second time, and ordered to be committed to Messrs. Preston, McCauley and Piper.

The bill, "Changing the time of holding the first quarterly term of the Hustings Court of the town of Petersburg," on motion, was also, read the second time, and ordered to be committed to Messrs. Cox, Scott and Bouldin.

The bill, "Constituting a portion of Meherrin river a lawful fence," on motion, was also, read the second time, and ordered to be committed to Messrs. Bouldin, Scott and Cox.

The bill, "Prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Changing the time of holding the Circuit Superior Court of Ohio county," on motion, was also, read the second time, and ordered to be committed to Messrs. Newman, Willey and Sloan.

The bill, "Divorcing Jacob Plum from his wife Mary Jane," on motion, was also, read the second time, and ordered to be committed to Messrs. Willey, Newman and Thompson.

The bill, "Authorising the officers of Patrick Henry Lodge of Independent order of Odd Fellows to hold a certain building therein mentioned," on motion, was also, read the second time, and ordered to be committed to Messrs. Custis, Carter of C. C. and Langhorne.

The bill, "Incorporating the Farmers and Mechanics Institution of the town of Lynchburg," on motion, was also, read the second time, and ordered to be committed to Messrs. Bondurant, Cocke and Woolfolk.

The bill, "To amend the seventh section of the act to provide for the opening and repair of the public roads, passed March 3, 1835," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Incorporating Kinsale Academy in the county of Nansemond," on motion, was also, read the second time, and ordered to be committed to Messrs. Langhorne, Atkinson and Carter of C. C.

The bill, "Incorporating the Norfolk Seamen's Friend Society," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "Releasing to Thomas Brosnahan the Commonwealth's right to a lot of land therein mentioned," on motion, was also, read the second time, and ordered to be committed to the committee of Claims.

The bill, "To revive the act, entitled, an act, authorising a ferry from the lands of John Brown in the county of Mason, across the Ohio river," on motion, was also, read the second time, and ordered to be committed to Messrs. Thompson, McCauley and Newman.

The bill, "To authorize two separate elections in the county of Nicholas and one in each of the counties of Giles and Monongalia; to change the place of one, and the name of the village at the seat of justice for the county of Carroll," on motion, was also, read the second time, and ordered to be committed to Messrs. Thompson, Willey and Preston.

The bill, "Authorising additional trustees to the Northwestern Virginia Academy," on motion, was also, read the second time, and ordered to be committed to Messrs. Shinn, Thompson and Newmant.

On motion of Mr. Bouldin,

Resolved, That sixteen hundred copies of the document No. 20, of the House of Delegates, be printed for the use of and distribution by the members of the Senate.

On motion of Mr. McMullen,

Resolved, That the editors of the several newspapers of this city, be permitted to take seats at the Clerk's table of the Senate, with a view of taking down the proceedings of the Senate.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.



TUESDAY, JANUARY 10, 1843.

The Speaker laid before the Senate the following letter from the Governor.

EXECUTIVE DEPARTMENT,

January 9th, 1843.

To the SENATE,

Gentlemen,—The enclosed is a copy of the proceedings of a convention which was held at Lewisburg in August, and which, in pursuance of a resolution of that body, I have now the honor to lay before you for the information of the General Assembly. The widely felt anxieties from which these proceedings spring, no less than the grave considerations of constitutional requirement and political justice by which they are supported, will, doubtless, secure for them, without any recommendation of mine, your early and careful deliberation. And whatever that deliberation may result in for the present, it will lead, I hope, to the satisfactory and speedy relief of the constitution from its experienced defects and ultimately unite the great geographical divisions of the State in some mode, better fitted than the existing one, for the promotion of their practical good and more consistent with the unity of their political rights.

I have the honor to be, with great respect,

Your most obedient servant,

J. A. McDOWELL.

The said letter, being read, on motion of Mr. Moffett with the accompanying document, was ordered to be laid upon the table.

The Senate, then, pursuant to the order of the day, proceeded to the consideration of the bill, "Extending the provisions of the act authorising the banks to issue small notes."

Mr. Bouldin moved that the further consideration of the said bill be postponed indefinitely.

And, after some discussion;—Mr. McMullen moved that the Senate do now adjourn.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 19. Noes 4.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Cocke, Atkinson, Woolfolk, Conrad, Piper, Penn, Carter of C. C., Carter of R., Sloan, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley and Thompson—19.

Noes—Messrs. Willey, Bouldin, Moffett and Newman—4.

The Senate then adjourned, accordingly, until to-morrow twelve o'clock.



WEDNESDAY, JANUARY 11, 1843.

Mr. Carter of R., presented a copy of the proceedings at a meeting of sundry citizens of Northumberland and several other adjoining counties in relation to the election of a Brigadier General for the 14th Brigade, which being read, on motion of Mr. Woolfolk, was ordered to be laid upon the table.

Mr. Cox, from the committee to whom was committed the bill; "Changing the time of holding the first quarterly term of the Hustings court of the town of Petersburg," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Atkinson,

Ordered, That the said bill be laid upon the table.

Mr. Atkinson, from the committee of General Laws to whom was committed the bill, "Prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. Carter of R., presented a report of the Circuit Superior Court of Stafford county of the will of Benjamin Boughton, deceased, and the commissioner's report of the valuation of a devise in said will to a Sunday school in Richmond county; pursuant to the act of Assembly of the second of April, 1839, which, being read, on his motion, was ordered to be laid upon the table.

Mr. Newman, from the committee to whom was committed the bill, "Changing the time of holding the Circuit Superior Court of Ohio county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Willey, from the committee to whom was committed the bill,

"Divorcing Jacob Plum from his wife Mary Jane," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Peyton, ordered to be laid upon the table.

Mr. Piper, from the committee to whom was committed the bill, "Fixing the school quotas of Grayson and Carroll counties," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Carter of R., from the committee to whom was committed the bill, "Incorporating the trustees of the Union Sunday school of Richmond county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Bouldin,

Ordered, That the said bill be laid upon the table.

Mr. Preston, from the committee to whom was committed the bill, "Annexing to the county of Alleghany a part of the county of Monroe," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Carter of C. C., from the committee to whom was committed the bill, "To ascertain the school quotas of James City, York and Williamsburg," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Langhorne, from the committee to whom was committed the bill, "Incorporating the Norfolk Seaman's Friend Society," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. Willey, from the committee to whom was committed the bill, "Divorcing Jacob Keras from his wife Mahala," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. Langhorne, from the committee to whom was committed the bill, "Incorporating Kinsale Academy in the county of Nansemond,"

reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Thompson, from the committee to whom was committed the bill, "To authorise two separate elections in the county of Nicholas, and one in each of the counties of Giles and Monongalia, to change the place of holding one, and the name of the Village at the seat of justice for the county of Carroll," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Thompson, also, from the committee to whom was committed the bill, "To revive the act, entitled, an act, authorising a ferry from the lands of John Brown in the county of Mason across the Ohio river," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The Senate proceeded, pursuant to the resolution agreed to on the 15th ultimo, by joint vote with the House of Delegates, to the election of a Brigadier General of the 14th Brigade, to supply the vacancy occasioned by the resignation of General Aylett.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Col. Philip Branham—Messrs. Hunton (Speaker,) Cox and McCauley—3.

For Col. Robert W. Carter—Messrs. Campbell, Thornton, Cocke, Peyton, Conrad, Piper, Preston, Bouldin, Carter of C. C., Sloan, Langhorne, Scott, Rogers, Newman and Thompson—15.

For Col. Corbin Braxton—Messrs. Carson, Woolfolk, Penn, Taylor, and Guerrant—5.

For Col. James M. Smith—Messrs. Willey, Atkinson, Moffett and McMullen—4.

Ordered, That a committee be appointed to examine the votes, jointly with a committee from the House of Delegates, and Messrs. Conrad, Woolfolk, Sloan, Rogers and Preston were accordingly appointed a committee for the purpose.

The committee withdrew, and sometime after returning into the chamber, Mr. Conrad reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

A message was received from the House of Delegates by Mr. Lewis, informing the Senate that the name of Col. Robert W. Carter was withdrawn from the nomination in that House.

A message was, also, received from the House of Delegates by Mr. Rice, informing the Senate that the name of Col. James M. Smith was withdrawn from the nomination in that House.

The Senate, then, again, proceeded pursuant to the said resolution, by joint vote with the House of Delegates, to the election of a Brigadier General of the 14th Brigade.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Col. Philip Branham—Messrs. Hunton (Speaker,) Cox, Willey and McCauley—4.

For Col. Corbin Braxton—Messrs. Campbell, Thornton, Carson, Atkinson, Woolfolk, Piper, Preston, Bouldin, Penn, Carter of C. C., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, Newman and Thompson—20.

For Col. Robert W. Carter—Messrs. Cocke, Peyton and Conrad—3.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after returning into the chamber, Mr. Conrad reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found a majority of votes in favour of Col. Corbin Braxton, who was thereupon declared by the Speaker duly elected Brigadier General of the 14th Brigade.

On motion of Mr. Scott,

Resolved, That the presidents of the several banks of this City, be requested to inform the Senate what amount of one and two dollar notes have been issued by their respective institutions, parent and branch offices inclusive, so far at least, as they may be enabled to comply with the same, presenting a separate and distinct statement of each.

Resolved, That the several banks of this City be requested to inform the Senate, what amount of one and two dollar notes were issued by their respective offices, parent and branches, so far as practicable, under the act authorising the same, at the session of 1840 and 1841, and also, what amount of said issue was returned up to the time of the passage of the act, at the session of 1841 and 1842, re-enacting the act of 1841, with a modification.

On motion of Mr. Scott,

The Senate then adjourned until to-morrow twelve o'clock.

THURSDAY, JANUARY 12, 1843.

Mr. Carter, from the committee of Claims to whom was committed the bill, "Releasing to Thomas Brosnehan the Commonwealth's right to a lot of land therein mentioned," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Bouldin, from the committee to whom was committed the bill, "Constituting a portion of Meherrin river a lawful fence," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

On motion of Mr. Scott,

Resolved, That the 4th rule of the Senate be suspended for the purpose of reconsidering the vote upon the questions of agreement to the resolutions offered by him on yesterday.

The Senate proceeded accordingly, to reconsider the said resolutions; and, on motion of Mr. Scott, the same were withdrawn with the consent of the Senate.

Mr. Scott, then, offered the following resolution, which, on his motion, was ordered to be laid upon the table.

Resolved, That the Presidents of the several banks of this City be requested to inform the Senate what amount of one and two dollar notes were issued by their respective institutions, parent and branch offices respectively, so far as practicable, forthwith, under the act authorising the same, passed at the session of 1840 and 1841, and, also, what amount of said issue was returned up to the time of the passage of the act at the session of 1841 and 1842, re-enacting the same with a modification, and also, what amount of said one and two dollar notes have been redeemed or taken in since the first day of January, instant, presenting a separate and distinct statement of each.

The bill, "Changing the time of holding the first quarterly term of the Hustings Court of the town of Petersburg," which, was, yesterday, reported and ordered to be laid upon the table, on motion of Mr. Cox, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Incorporating the Norfolk Seaman's Friend Society," which was, yesterday, reported and ordered to be laid upon the table, on motion of Mr. Bouldin, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Woolfolk,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, JANUARY 13, 1843.

The Speaker laid before the Senate a letter from the Governor, transmitting a statement of the condition of the Northwestern Bank and its branches on the first instant, which, being read, on motion of Mr. Carter, were ordered to be laid upon the table.

Mr. Bondurant presented a copy of resolutions adopted at a numerous meeting of the people of Buckingham, praying the adoption by the Legislature, some measures for the relief of the people in the present pecuniary embarrassment of the country, which, being read, on his motion, was ordered to be laid upon the table.

Mr. Preston offered the following resolution, which, on his motion, was ordered to be laid upon the table.

Resolved, That a special committee of five members be appointed to act jointly with a committee on the part of the House of Delegates to investigate the condition and affairs of the James river and Kanawha company, and particularly the proceedings and conduct of the present officers of said company in the management thereof—and further to inquire whether any part of the guarantee granted to said company by the Commonwealth has not been used by said company, or demanded by its creditors, or whether the company have entered into any arrangements to use the said guarantee—and said committee be instructed to report at as early a day, as practicable, the result of their investigation and inquiry.

On motion of Mr. Scott,

The resolution offered by him, on yesterday, was taken up.

Mr. Scott then offered the following as a substitute for the said resolution, which, on the question put thereupon, was agreed to by the Senate.

Resolved, That the Banks of this City inform the Senate what amount of one and two dollar notes were issued by them respectively, under the act of the 15th day of March, 1841, and also, the amount of such, outstanding at the time of the passage of the act of the 25th of March, 1842,—also, what amount was issued under the last recited act, and the amount outstanding on the 1st and 13th days of January, instant.

Mr. Bondurant, from the committee to whom was committed the bill, "Incorporating the Farmers and Mechanics Institution of the town of Lynchburg," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate. Ayes 16. Noes 13.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Bondurant, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Preston, Carter of C.C., Carter of R., Langhorne, Rogers, McCauley and Thompson—16.

Noes—Messrs. Cox, Carson, Willey, Atkinson, Bouldin, Penn, Moffett, Sloan, Shinn, Scott, Taylor, Guerrant and Newman—13.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

Mr. Custis, from the committee to whom was committed the bill, "Changing the time of holding the fall quarterly term of the county court of York county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Custis, also, from the committee to whom was committed the bill, "Authorising the officers of Patrick Henry Lodge of Independent Odd Fellows to hold a certain building therein mentioned," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Thornton,

The Senate then adjourned until to-morrow twelve o'clock.



SATURDAY, JANUARY 14, 1843.

The Speaker laid before the Senate a communication from the Cashier of the branch of the Exchange Bank at Richmond, in response to their Resolution of yesterday, which, being read, on motion of Mr. Atkinson, was ordered to be laid upon the table.

On motion of Mr. Preston,

The Resolution offered by him, on yesterday, and ordered to be laid upon the table, was taken up.

The said Resolution, on motion of Mr. Bouldin, was amended by striking out the words "to act jointly with a committee on the part of the House of Delegates."

And, on the question being then put upon the said Resolution, as amended, it was agreed to by the Senate.

Ordered, That Messrs. Preston, Scott, Woolfolk, Thompson and Conrad be appointed a committee in pursuance of the said Resolution.

The Speaker laid before the Senate a communication from the Cashier of the Bank of Virginia, in pursuance to their Resolution of yesterday, which, being read, on motion of Mr. Willey, was ordered to be laid upon the table.

On motion of Mr. Willey,

Ordered, That 185 copies of the statements received from the banks, to-day, be printed for the use of the members of the General Assembly.

Mr. Atkinson, from the committee of General Laws to whom was committed the bill, "To amend the seventh section of the act to provide for the opening and repair of the public roads, passed March 3, 1835," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Cocke,

Ordered, That the said bill be laid upon the table.

The bill, "Prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines," which, on Wednesday last, was reported, and ordered to be laid upon the table, on motion of Mr. Atkinson, was taken up.

Mr. Langhorne offered an amendment to the said bill, and, on motion of Mr. Woolfolk, the bill, with the proposed amendment, was ordered to be re-committed to the committee from which it was reported.

On motion of Mr. Bouldin,

The Senate then adjourned until Monday next twelve o'clock.



MONDAY, JANUARY 16, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 14, 1843.

The House of Delegates have passed a bill, entitled, "An act, changing the time of holding the quarterly terms of the county court of Wayne," No. 65: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to Messrs. Thompson, McCauley and Preston.

The Speaker laid before the Senate a communication from the President of the Farmers Bank of Virginia, in response to the Senate's Resolution of Friday last, which, being read, on motion of Mr. Cocke, was ordered to be laid upon the table.

On motion of Mr. Cocke,

Ordered, That 185 copies of the statement contained in the said communication, be printed for the use of the members of the General Assembly.

The bill, "Divorcing Jacob Plum from his wife Mary Jane," which, on Wednesday last, was read the third time, and ordered to be laid upon the table, on motion of Mr. Peyton, was taken up.

Mr. Scott moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 21. Noes 11.

The ayes and noes, on that question, being required by Mr. Peyton, seconded by Mr. Scott, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cocke, Peyton, Carson, Atkinson, Baptist, Bondurant, Custis, Conrad, Preston, Carter of C. C., Carter of R., Moffett, McMullen, Scott, Taylor, Guerrant, Rogers and Thompson—21.

Noes—Messrs. Hunton (Speaker,) Willey, Woolfolk, Piper, Bouldin, Penn, Sloan, Shinn, Langhorne, McCauley and Newman—11.

Ordered, That the Clerk inform the House of Delegates of the indefinite postponement of the said bill.

On motion of Mr. Scott,

The Senate then adjourned until to-morrow twelve o'clock.

TUESDAY, JANUARY 17, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 16, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, constituting a portion of Meherrin river a lawful fence." No. 7.

On motion of Mr. Carter,

Resolved, That the Sergeant at Arms of the Senate be requested to have the blinds of the Senate Chamber repaired as soon as it can be conveniently done.

The bill, "Incorporating the trustees of Union Sunday School of Richmond county," which, on Wednesday last, was reported, and ordered to be laid upon the table, on motion of Mr. Carter of R., was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Carter, was amended.

Mr. Thornton then moved that the further consideration of the said bill be postponed indefinitely.

And, after some discussion—

On motion of Mr. Peyton,

The Senate then adjourned until to-morrow twelve o'clock.



WEDNESDAY, JANUARY 18, 1843.

Mr. Thompson, from the committee to whom was committed the bill, "Changing the time of holding the quarterly terms of the county court of Wayne," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Extending the provisions of the act authorising the banks to issue small notes," which was under consideration when the Senate adjourned on the 10th instant, on motion of Mr. Scott, was taken up.

The Senate proceeded to consider the motion heretofore made by Mr. Bouldin to postpone the said bill indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 14. Noes 18.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Conrad, were as follow:

Ayes—Messrs. Willey, Atkinson, Woolfolk, Bouldin, Moffett, Slaon, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—14.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Baptist, Bondurant, Custis, Conrad, Piper, Preston, Penn, Carter of C. C., Carter of R., Langhorne and Rogers—18.

Mr. Atkinson then offered an amendment to the said bill.

On motion of Mr. Woolfolk,

The Senate then adjourned until to-morrow twelve o'clock.

THURSDAY, JANUARY 19, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 18, 1843.

The House of Delegates have adopted a Resolution to suspend taking the lists of taxable subjects and the extensions of the land tax: In which they request the concurrence of the Senate.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The Speaker laid before the Senate a letter from the Governor, communicating the annual report of the Board of Visitors of the Virginia Military Institute, which, being read, on motion of Mr. Preston, were ordered to be laid upon the table.

Mr. Thornton from the joint committee appointed to examine the Treasurer's accounts made a report, which was read as follows:

The Joint Committee to examine the Treasurer's accounts, to which was referred a Resolution of the Senate and House of Delegates, touching the collection and re-investment of the "Washington Monument Fund," have had the same under consideration and beg leave respectfully to report.

From the best information afforded the committee, they are of opinion that the Fund, as at present invested, is well secured in the hands of the respective holders, with the exception of that portion of it loaned to a resident of the county of Brooke. The committee have been unable to inform themselves accurately as to the precise condition of that portion of the Fund, amounting to the sum of \$1900; but from what they can gather, are not satisfied of its entire safety. They are not aware, however, that any advantage is to be derived from the adoption of proceedings for its immediate collection, and have therefore not deemed it necessary to place it on a different footing from the rest of the Fund.

The advantages of an investment in the Commonwealth's Stock, over loans to individuals, however responsible at the time, where the rate of interest is the same, seem to the committee most palpable. In their opinion, the credit of the Commonwealth of Virginia deserves to rank far superior to that of any individuals, whether the abhorrence of the purpose to avoid the punctual fulfilment of her engagements, as universally entertained by the Legislature and the people, or the unquestionable ability to meet those engagements be considered. The interest, it is confidently believed, will be more promptly paid and more readily invested, and while the Fund, therefore, will be entirely free from contingency of loss, it will more rapidly accumulate. The happy condition of freedom from debt at the period of the present investment of the Fund, furnishes the very satisfactory reason for the mode then adopted. There was, then, no State stock to be had, and hence the loan to individuals. The committee have no difficulty therefore in recommending that the Fund be called in and invested in State stock. In contemplation, however, of the severity of the times, and the embarrassment which universally pervades all classes of our citizens,

the committee are of opinion, that a sudden call on the present holders of the Fund to return at once the whole amount borrowed, would be unnecessarily harsh.

A division of the sum into four equal instalments, the first to be paid on the 1st day of next July, and the other three, at regular intervals of six months thereafter, seemed to the committee, as rapid as could reasonably be required. They think, however, that in order to provide against contingencies, the Executive, upon whom the duty to coerce payment must devolve, should be invested with authority to enforce the collection of the whole amount due by any borrower in the speediest practicable mode, if there be reason to apprehend the loss, by delay, of the amount held by such borrower. In conformity with these views the committee respectfully recommend that the Legislature adopt the following resolution.

Resolved by the General Assembly, That the Executive is hereby authorised and requested to cause to be collected the debts due the "Washington Monument Fund," both principal and interest, in four equal instalments, the first to be paid on the first day of July next, and the others at regular intervals of six months thereafter. And if the instalments be not promptly paid at the required periods, or should the Executive, from any cause, consider any portion of the Fund in danger of being lost, he is authorised and requested immediately thereupon, to call in the whole amount held by such delinquent borrower, or deemed by him so perilled. And he is furthermore requested to cause the said Fund, as collected, to be invested in bonds of the State of Virginia, bearing an interest of, at the least, six per centum per annum, to be semi-annually paid, and the interest, as it accrues, similarly invested.

JAS. B. THORNTON, JR. C. C. S.

H. HANCOCK, C. C. H. D.

The said Resolution, being, again, read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Thornton inform the House of Delegates thereof.

The bill, "Extending the provisions of the act authorising the banks to issue small notes," which was under consideration when the Senate adjourned on yesterday, on motion of Mr. Atkinson, was taken up.

The amendment proposed by Mr. Atkinson, on yesterday, to the said bill, on his motion, was withdrawn with the consent of the Senate.

On his motion,

Ordered, That the said bill be read a second time.

The bill was, accordingly, read the second time.

Mr. Atkinson then offered the following amendment to the said bill:

Strike out from the word "that" in the 1st section, 1st line to the commencing clause, and in lieu thereof, insert—"it shall be lawful for the several banks of this Commonwealth to issue notes of the denomination of one and two dollars, to an amount not exceeding six per cent. upon their respective capitals, which notes shall be payable in specie on demand, and may be signed by the President and Cashier, or any other officer or officers of said banks designated for that purpose, by the board of directors—and if any bank should fail to pay in specie,

any note not issued by it in virtue of this act, when duly presented for payment, it shall be lawful for the holder of any such note or notes to recover the amount thereof, with 25 per cent. damages on the same, by warrant before a justice of the peace: *Provided, however,* That the authority hereby given to issue such notes shall, on and after the first day of October next, cease and determine. And if any such bank shall thereafter issue, re-issue, or pay out or offer to pay or circulate any such note, every such bank shall incur, and be liable to the same pains and penalties as if this act had not passed.

Be it further enacted, That if any banking institution shall avail itself of the privileges of this act, the notes, wherever issued pursuant thereto, shall be paid at the mother bank, or any branch thereof.

And be it further enacted, That any bank of this Commonwealth that has emitted or issued any note under the denomination of five dollars heretofore authorized by the General Assembly, shall redeem the same whenever presented at such bank or either of its branches for payment, and whether emitted or issued by such bank or agency where payment is demanded or not; and for failure so to do, such bank shall be subject to all the remedies and penalties prescribed by this act."

Mr. Cox then moved to amend the said proposed amendment by adding to the end of the second section, the words "at which the same may have been issued."

And, after some discussion—Mr. Woolfolk moved that the said bill and proposed amendments be postponed indefinitely.

On motion of Mr. Preston,

The said bill and proposed amendments, were then ordered to be laid upon the table.

The following message was received from the House of Delegates by Mr. Hopkins:

Mr. Speaker,—The House of Delegates have passed the bills, entitled, "An act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes;" and, "An act, to provide for the payment of the interest upon certain bonds guaranteed by the Commonwealth, and the semi-annual annuity due to the old James river company:" In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "To provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," on motion, was read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "To provide for the payment of the interest upon certain bonds guaranteed by the Commonwealth, and the semi-annual annuity due to the Old James river company," on motion, was also, read the second time, and ordered to be committed to Messrs. Preston, Woolfolk and Moffett.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, JANUARY 20, 1843.

Mr. Preston, from the committee to whom was committed the bill, "To provide for the payment of the interest upon certain bonds guaranteed by the Commonwealth, and the semi-annual annuity due to the Old James river company," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Bouldin,

Ordered, That the said bill be laid upon the table.

The bill, "Extending the provisions of the act authorising the banks to issue small notes," on motion of Mr. Atkinson, was taken up.

On the question being put upon the motion made by Mr. Woolfolk, on yesterday, to postpone the said bill and proposed amendments indefinitely, it was disagreed to by the Senate. Ayes 13. Noes 17.

The ayes and noes, on that question, being required by Mr. Woolfolk, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Willey, Atkinson, Bouldin, Moffett, Sloan, Shian, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—13.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Baptist, Bondurant, Custis, Conrad, Piper, Preston, Penn, Carter of C. C., Langhorne and Rogers—17.

Mr. Woolfolk was excused from voting in consequence of an agreement with a member necessarily absent.

Mr. Piper moved that the Senate do now adjourn.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 12. Noes 18.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. Piper, were as follow:

Ayes—Messrs. Hunton (Speaker,) Willey, Atkinson, Woolfolk, Piper, Bouldin, Moffett, McMullen, Langhorne, McCauley, Newman and Thompson—12.

Noes—Messrs. Cox, Campbell, Thornton, Cocke, Peyton, Carson, Baptist, Bondurant, Custis, Conrad, Preston, Penn, Carter of C. C., Sloan, Scott, Taylor, Guerrant and Rogers—18.

And, on the question being then put upon the amendment proposed on yesterday, by Mr. Cox to Mr. Atkinson's amendment, it was agreed to by the Senate. Ayes 17. Noes 11.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Cox, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cocke, Peyton, Carson, Baptist, Bondurant, Custis, Conrad, Preston, Penn, Carter of C. C., Langhorne, Scott, Guerrant and Rogers—17.

Noes—Messrs. Hunton (Speaker,) Willey, Atkinson, Bouldin, Moffett, Sloan, McMullen, Taylor, McCauley, Newman and Thompson—11.

The amendment proposed by Mr. Atkinson, on motion of Mr. Cox, was further amended.

And, on the question being then put upon Mr. Atkinson's amendment, as amended, it was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate. Ayes 16. Noes 12.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. Preston, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Coker, Peyton, Carson, Baptist, Bondurant, Custis, Conrad, Preston, Penn, Carter of C.C., Langhorne and Rogers—16.

Noes—Messrs. Willey, Atkinson, Bouldin, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—12.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendment.

On motion of Mr. Thornton,

The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, JANUARY 21, 1848.

Mr. Peyton, from the committee of Courts of Justice, to whom was committed the bill, "To provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration; and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Messrs. Bouldin and Preston, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Bouldin inform the House of Delegates thereof, and request their concurrence in the amendment.

On motion of Mr. Preston,

Ordered, That the committee appointed to investigate the condition and affairs of the James river and Kanawha company, and particularly the proceedings and conduct of the present officers of said company, in the management thereof, &c., have leave to sit during the session of the Senate.

The bill, "To provide for the payment of the interest upon certain bonds guaranteed by the Commonwealth, and the semi-annual annuity due to the Old James river company," which was, yesterday, reported, and ordered to be laid upon the table, on motion of Mr. Bouldin, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To amend the seventh section of the act to provide for the opening and repair of the public roads, passed March 3, 1835," which, on Saturday last, was reported, and ordered to be laid upon the table, on motion of Mr. Atkinson, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Piper, again ordered to be laid upon the table.

Mr. Shinn, from the committee to whom was committed the bill, "Authorising additional trustees to the Northwestern Virginia Academy," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on motion of Mr. Peyton, was amended, and, as amended, on the question put thereupon, agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

On motion of Mr. Coeke,

The Senate then adjourned until Monday next twelve o'clock.

MONDAY, JANUARY 28, 1848.

The bill, "To amend the seventh section of the act to provide for the opening and repair of the public roads, passed March 3, 1835," which, on Friday last, was read the third time, and ordered to be laid upon the table, on motion of Mr. Piper, was taken up; and, on his motion, ordered to be re-committed to the committee of General Laws.

Mr. Atkinson, from the committee of General Laws, to whom was re-committed the bill, "Prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines," reported that the committee had, according to order, again taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on motion of Mr. Thornton, the bill and amendment, were ordered to be laid upon the table.

Mr. McMullen offered the following Resolution:—

Resolved, That the Principal Engineer be instructed to attend the committee appointed by the Senate to examine the James river canal; for the purpose of giving them any assistance that may be in his power, necessary to carrying out the objects of said committee.

And, on the question being put upon the said proposed Resolution, it was disagreed to by the Senate. Ayes 5. Noes 17.

The ayes and noes, on that question, being required by Mr. McMullen, appended by Mr. Bouldin, were as follow:

Ayes—Messrs. Hunton (Speaker,) Preston, Shinn, McMullen and McCauley—5.

Noes—Messrs. Campbell, Thornton, Carson, Atkinson, Baptist, Custis, Conrad, Piper, Bouldin, Penn, Carter of C. C., Moffett, Langhorne, Guerrant, Rogers, Newman and Thompson—17.

The following message was received from the House of Delegates by Mr. Hopkins:

Mr. Speaker,—The House of Delegates have agreed to the amendment proposed by the Senate to the bill, entitled, "An act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," with an amendment, in which they request the concurrence of the Senate:

The said amendment, being delivered in, and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Bouldin inform the House of Delegates thereof.

On motion of Mr. Bouldin,

The Senate then adjourned until to-morrow twelve o'clock.

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TUESDAY, JANUARY 24, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 24, 1843.

The House of Delegates have adopted Resolutions, instructing the Senators and requesting the Representatives in the Congress of the United States, relative to the right of instruction, the distribution of the sales of the public lands, and sundry other subjects: In which they request the concurrence of the Senate.

The said Resolutions, being delivered in and read, Mr. Carter moved that the same be laid upon the table, with a view of having them printed.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 14.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. Carter, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Baptist, Carter of C. C., Carter of R., Sloan and Rogers—8.

Noes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Shinn, McMullen, Guerrant, McCauley and Newman—14.

The first Resolution was, again, read as follows:

Resolved by the General Assembly, That the principle has ever been held sacred by the People of Virginia, that the Representative is bound to obey the will of his Constituents, or resign his seat; that that principle has often been declared by the General Assembly of Virginia to their Representatives, the Senators in the Congress of the United States, and that they do now solemnly re-affirm it to their present Senators, William C. Rives, and William S. Archer.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 17. No 1.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Newman, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Guerrant, McCauley and Newman—17.

No—Mr. Carter of C. C.—1.

The second Resolution was, again, read as follows:

Resolved by the General Assembly, That William S. Archer, one of the Senators from this State, in the Congress of the United States, by his votes in favor of a United States Bank, and for the repeal of that provision of the law for the distribution of the proceeds of the sales of the public lands, which provided that the distribution should cease, whenever the duties on imports are increased beyond twenty per cent., has violated this great principle, and disregarded the known wishes of his Constituents.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 16. Noes 2.

The ayes and noes, on that question, being required by Mr. Thornton, seconded by Mr. Guerrant, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Guerrant, McCauley and Newman—16.

Noes—Messrs. Thornton and Carter of C. C.—2.

The third Resolution was, again, read as follows:

Resolved by the General Assembly, That our Senators in the Congress of the United States be, and they are hereby instructed, and our Representatives requested, to procure the repeal of the Tariff, passed at the last Session of Congress, and to oppose and vote against any Tariff which is not solely for Revenue.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 17. No 1.

The ayes and noes, on that question, being required by Mr. Shinn, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Guerrant, McCauley and Newman—17.

No—Mr. Carter of C. C.—1.

The fourth Resolution was, again, read as follows:

Resolved by the General Assembly, That our Senators in the Congress of the United States be, and they are hereby instructed, and our Representatives requested, to endeavor to procure the repeal of the act of Congress directing the distribution of the proceeds of the sales of the Public Lands among the several States of this Union.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 17. No 1.

The ayes and noes, on that question, being required by Mr. Shinn, seconded by Mr. Carson, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Guerrant, McCauley and Newman—17.

No—Mr. Carter of C. C.—1.

The fifth Resolution was, again, read as follows:

Resolved by the General Assembly, That our Senators in the Congress of the United States be, and they are hereby instructed, and our Representatives requested to vote against, and to use all their proper means to prevent the incorporation of a Bank of the United States, or any other institution with the banking powers.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 17. No 1.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Guerrant, McCauley and Newman—17.

No—Mr. Carter of C. C.—1.

The sixth Resolution was, again, read as follows:

Resolved by the General Assembly, That our Senators in the Congress of the United States be, and they are hereby instructed, and our Representatives requested, to use all proper means to procure the repeal of the Bankrupt Law.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 16. Noes 2.

The ayes and noes, on that question, being required by Mr. Shinn, seconded by Mr. Sloan, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Guarrant, McCauley and Newman—16.

Noes—Messrs. Thornton and Carter of C. C.—2.

The seventh Resolution was, again, read as follows:

Resolved, That the Governor of Virginia be, and he is hereby requested, to communicate a copy of the foregoing Resolutions to each of the Senators and Representatives from Virginia, in the Congress of the United States.

And, on the question being put thereupon, it was agreed to by the Senate.

Ordered, That Mr. Willey inform the House of Delegates of the agreement of the Senate to the said Resolutions.

The Speaker laid before the Senate a letter from the Governor, communicating a statement showing the condition of the Bank of the Valley, on the 5th ultimo, and on the 2d instant, which, being read, on motion of Mr. McMullen, were ordered to be laid upon the table.

The bill, "Dissolving Jacob Kerns from his wife Mahala," which, on the eleventh instant, was reported and ordered to be laid upon the table, on motion of Mr. Willey, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

On motion of Mr. Thornton,

The Senate then adjourned until to-morrow twelve o'clock.

WEDNESDAY, JANUARY 25, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 24, 1843.

The House of Delegates agreed to the amendment proposed by the Senate, to the bill entitled, "An act, authorising additional trustees to the Northwestern Virginia Academy."

Mr. Atkinson, from the committee of General Laws, to whom was re-committed the bill, "To amend the seventh section of the act, to provide for the opening and repair of the public roads, passed March 3d, 1835," reported that the committee had, according to order, again taken the said bill under consideration, and made no amendment thereto.

And, on the question being then put upon the passage of the said bill, it was rejected by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines," which, on Monday last, was reported, and ordered to be laid upon the table, on motion of Mr. Atkinson, was taken up.

The amendment reported by the committee to the said bill, on the question put thereupon, was disagreed to by the Senate.

The said bill, on motion of Mr. Atkinson, was then, amended, and, as amended, ordered to be read a third time.

The bill, as amended, was accordingly, read the third time; on motion of Mr. Bouldin, was further amended, and, as amended, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Atkinson, was, also, amended by adding to the end thereof, the words "and for other purposes."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

The bill, "Divorcing Jacob Kerus from his wife Mahala," which was under consideration, when the Senate adjourned on yesterday, on motion of Mr. Atkinson, was taken up.

And, on the question being then put upon the said bill, it was passed by the Senate. Ayes 19. Noes 4.

The ayes and noes, on that question, being required by Mr. Thornton, seconded by Mr. Willey, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Cocke, Carson, Willey, Atkinson, Woolfolk, Piper, Bouldin, Carter of R., Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant, Rogers, McCauley and Newman—19.

Noes—Messrs. Thornton, Baptist, Penn and Carter of C. C.—4.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o'clock.



THURSDAY, JANUARY 26, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 25, 1843.

The House of Delegates have passed the following bills, entitled, "An act, to apply the profits of the Glebe Fund in Essex county, to the support of Free schools in the said county," No. 34; "An act, changing the time of holding the Hustings court of the town of Danville," No. 76; and, "An act, attaching the county of Carroll, to the tenth Judicial Circuit," No. 67: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "To apply the profits of the Glebe Fund in Essex county to the support of Free schools in the said county," on motion, was read the second time, and ordered to be committed to Messrs. Thornton, Carter of R. and Taylor.

The bill, "Changing the time of holding the Hustings court of the town of Danville," on motion, was also, read the second time, and ordered to be committed to Messrs. Penn, Baptist and Bondurant.

The bill, "Attaching the county of Carroll, to the tenth Judicial Circuit," on motion, was also, read the second time, and ordered to be committed to Messrs. Piper, McCauley and Preston.

On motion of Mr. Piper,

Ordered, That the said committees have leave to sit during the session of the Senate.

Mr. Piper, from the committee to whom was committed the bill, "Attaching the county of Carroll, to the tenth Judicial Circuit," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Willey,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, JANUARY 27, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 26, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, extending the provisions of the act authorising the banks to issue small notes," No. 14.

Mr. Penn, from the committee to whom was committed the bill, "Changing the time of holding the Hustings court of the town of Danville," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, JANUARY 28, 1843.

The Senate met; and, on motion of Mr. Willey, adjourned until Monday next, twelve o'clock.

MONDAY, JANUARY 30, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 28, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bill, entitled, "An act, prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison, and for selling medicines:" No. 24.

And have passed bills, entitled, "An act, concerning the weighing of live stock brought to the City of Richmond," No. 39; "An act, incorporating the Jefferson Society in the town of Charlottesville," No. 40; and, "An act, amending the act, entitled, "An act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," No. 116: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Amending the act, entitled, an act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Concerning the weighing of live stock brought to the City of Richmond," on motion, was also, read the second time, and ordered to be committed to Messrs. Carter of C. C., Moffett and McMullen.

The bill, "Incorporating the Jefferson Society in the town of Charlottesville," on motion, was also, read the second time, and ordered to be committed to Messrs. Cocke, Bondurant and Woolfolk.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o'clock.



TUESDAY, JANUARY 31, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 30, 1843.

The House of Delegates have passed bills, entitled, "An act, concerning the Branch coal mining company," No. 44; "An act, to incorporate the trustees of Littleton academy, in the county of Sussex," No. 45; "An act, concerning the laws in relation to gaming," No. 48; "An act, to authorise a separate election in each of the counties of Hampshire and Rockingham, and to change the place of holding one in the county of Rockingham," No. 51; "An act, concerning general meetings of the New Shenandoah company," No. 53; "An act, to provide furniture for the Governor's house, and for other purposes," No. 82; and, "An act, authorising the formation of a company of Cavalry in each of the counties of Campbell, Halifax and Charlotte," No. 109: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Authorising the formation of a company of Cavalry in the counties of Campbell, Halifax and Charlotte," on motion, was read the first, and ordered to be read a second time.

The bill, "To provide furniture for the Governor's house, and for other purposes," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Concerning the laws in relation to gaming," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "To authorize a separate election in each of the counties of Hampshire and Rockingham, and to change the place of holding one in the county of Rockingham," on motion, was also, read the second time, and ordered to be committed to Messrs. Sloan, Moffatt and Carson.

The bill, "To incorporate the trustees of Littleton academy, in the county of Sussex," on motion, was also, read the second time, and ordered to be committed to Messrs. Atkinson, Bouldin and Langthorne.

On motion of Mr. Atkinson,

Ordered, That the several committees to whom bills have been this day committed, have leave to sit during the session of the Senate.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Amending the act, entitled, an act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time.

Mr. Thompson moved that the 4th rule of the Senate be suspended for the purpose of re-considering the third reading of the said bill.

And, on the question put thereupon, it was agreed to by the Senate.

Mr. Newman then moved that the 4th rule of the Senate be suspended for the purpose of re-considering the amendment reported by the committee to the said bill, and agreed to by the Senate.

The said amendment was as follows:

Strike out all of the first section, from the word "that" in the first line and insert "every witness attending either House of the General Assembly, or any Committee thereof, in obedience to process issued and served upon him to compel such attendance, during the present session of the General Assembly, shall be entitled to receive the mileage and *per diem* allowance, mentioned in the act of the General Assembly, entitled, "An act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," whether such attendance shall have been before or after the passage of the said act."

And, on the question being again put upon the said amendment, it was disagreed to by the Senate. Ayes 9. Noes 18.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Thompson, were as follow:

Ayes—Messrs. Cox, Campbell, Carson, Willey, Atkinson, Bouldin, Moffatt Taylor and Guervant—9.

Noes—Messrs. Hutton (Speaker,) Cooke, Woolfolk, Piper, Henth, Carter of C. C., Carter of R., Sloan, McMullen, Rogers, McCauley, Newman and Thompson—18.

Mr. Thompson then moved to amend the said bill by striking out the words "one dollar and fifty cents" as the *per diem* of witnesses to be held, and inserting in lieu thereof "one dollar and twenty-five cents."

And, on the question put thereupon, it was agreed to by the Senate. The said bill, on motion of Mr. Thompson, was further amended, and, as amended, on the question put thereupon, passed by the Senate. *Ordered*, That Mr. Atkinson inform the House of Delegates thereof, and request their concurrence in the amendments.

The bill, "Concerning the Branch coal mining company," on motion, was read the second time, and ordered to be committed to Messrs. Cox, Guerrant and Scott.

The bill, "Concerning general meetings of the New Shenandoah company," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The Speaker laid before the Senate a letter from the Governor, transmitting copies of statements showing the condition of the Exchange and Farmers Banks respectively at the conclusion of the last month, and, also, of the Cashiers' letters accompanying the same, which, being read, on motion of Mr. Bouldin, were ordered to be laid upon the table.

On motion of Mr. Bouldin,

Ordered, That Messrs. Willey and Atkinson, be added to the committee to whom was committed the bill, "Authorising the formation of a company of Cavalry in the counties of Campbell, Halifax and Charlotte," in lieu of Messrs. Bondurant and Baptist, who are absent from the Senate.

Mr. Atkinson, from the committee to whom was committed the bill, "To incorporate the trustees of Littleton academy in the county of Sussex," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Bouldin, from the committee to whom was committed the bill, "Authorising the formation of a company of Cavalry in the counties of Campbell, Halifax and Charlotte," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Bouldin,

The Senate then adjourned until to-morrow twelve o'clock.

WEDNESDAY, FEBRUARY 1, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, January 31, 1843.

The House of Delegates have passed bills, entitled "An act, concerning the allowance to witnesses in certain cases," No. 27; and "An act, concerning sales of property under executions, or other legal process, in the town of Lynchburg," No. 55: In which they request the concurrence of the Senate.

And they agree to the amendments proposed by the Senate to the bill, entitled, "An act, amending the act, entitled, an act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes," No. 116, with an amendment to the Senate's second amendment: In which they also request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The amendment proposed by the House of Delegates to the Senate's amendments to the said bill, being delivered in, and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Bouldin inform the House of Delegates thereof.

The bill, "Increasing the allowance to witnesses in certain cases," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "To provide furniture for the Governor's House, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, also, from the same committee to whom was committed the bill, "Concerning the laws in relation to gaming," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on motion of Mr. Carter of C. C. the bill and amendment were ordered to be laid upon the table.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Releasing to Jeremiah Kyle the Commonwealth's right to certain lands therein mentioned," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Preston,

Ordered, That the said bill be laid upon the table.

The bill, "Concerning sales of property under executions or other legal process in the town of Lynchburg," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

Mr. Sloan, from the committee to whom was committed the bill, "To authorize a separate election in each of the counties of Hampshire and Rockingham, and to change the place of holding one in the county of Rockingham," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.
 The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

On motion of Mr. Moffett,

The Senate then adjourned until to-morrow twelve o'clock.

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 THURSDAY, FEBRUARY 2, 1843.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Concerning sales of property under executions or other legal process in the town of Lynchburg," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, also, from the same committee to whom was committed the bill, "Increasing the allowance to witnesses in certain cases," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, on the questions put thereupon, were agreed to by the Senate.

Mr. Atkinson moved a further amendment to the said bill, which was read.

Mr. McMullen then moved that the further consideration of the said bill and proposed amendment, be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Thornton, from the committee to whom was committed the bill, "To apply the profits of the Glebe fund in Essex county to the support of the Free Schools in the said county," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed the Senate.

The bill, "Concerning the laws in relation to gaming," which was yesterday reported and ordered to be laid upon the table, on motion of Mr. Atkinson, was taken up.

The amendment reported by the committee of General Laws to the said bill, proposed to insert the following section:

"*And be it further enacted*, That so much of the 3d section of the act, entitled, 'An act, concerning the Circuit Superior Court of Law and Chancery for the 21st Judicial Circuit for the trial of crimi-

nal causes, and for other purposes,' as authorizes the sum of ~~one hundred dollars~~, in addition to the compensation to which the prosecuting attorney of the 21st Judicial Circuit was entitled before the passage of that act, shall be and the same is hereby repealed."

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 7. Noes 21.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Carter of C. C., were as follow:

Ayes—Messrs. Baptist, Woolfolk, Bouldin, Moffett, Sloan, McMullen and Newman—7.

Noes—Messrs. Hunton (Speaker,) Cox, Thornton, Cocke, Carson, Willey, Atkinson, Custis, Conrad, Piper, Preston, Penn, Carter of C. C., Carter of R., Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley and Thompson—21.

Mr. McMullen moved to amend the said bill by inserting the following proviso:

"*Provided, however,* That in all prosecutions hereafter instituted for unlawful gaming, where the fine now imposed by law is twenty dollars and not more, and the fee of the Commonwealth's Attorney is twenty dollars, the fine shall be thirty dollars instead of twenty, and the Attorney's fee shall be ten dollars."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate. Ayes 22. Noes 7.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Preston, were as follow:

Ayes—Messrs. Hunton (Speaker,) Thornton, Carson, Willey, Baptist, Custis, Woolfolk, Piper, Preston, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, McMullen, Langhorne, Taylor, Guerrant, Rogers, Newman and Thompson—22.

Noes—Messrs. Cox, Cocke, Atkinson, Conrad, Bouldin, Scott and McCauley—7.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

On motion of Mr. Bouldin,

Resolved, That 185 copies of the report of the Librarian to the Library Committee, with the accompanying documents, be printed for the use of the members of the General Assembly.

On motion of Mr. Thornton,

Resolved, That the 4th rule of the Senate be suspended for the purpose of reconsidering the title of the bill, "To apply the profits of the Glebe fund in Essex county to the support of Free Schools in the said county."

The Senate proceeded, accordingly, to reconsider the title to the said bill, which, on motion of Mr. Thornton, was amended, by striking out from the word "Aet" to the end, and inserting in lieu thereof the words "Concerning the Glebe fund of the South Farnam Parish in the county of Essex."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Thompson, from the committee of Privileges and Elections, made the following report, which, being read, on the question put thereupon, was agreed to by the Senate.

The committee of Privileges and Elections have, according to order, had under consideration the return of a Senator from the district composed of the counties of Norfolk, Nansemond, Princess Anne and Norfolk borough, and find the same in the form prescribed by law; therefore,

Resolved, That James H. Langhorne, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Brunswick, Dinwiddie and Greenville, and find the same in the form prescribed by law; therefore,

Resolved, That Edward P. Scott, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of King and Queen, King William, Gloucester, Matthews and Middlesex, and find the same in the form prescribed by law; therefore,

Resolved, That John R. Taylor, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Fluvanna, Goochland, Louisa and Hanover, and find the same in the form prescribed by law; therefore,

Resolved, That John Guerrant, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Loudoun and Fairfax, and find the same in the form prescribed by law; therefore,

Resolved, That Asa Rogers, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Alleghany, Bath, Pocahontas, Botetourt and Roanoke, and find the same in the form prescribed by law; therefore,

Resolved, That John McCauley, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Brook, Ohio, Tyler and Marshall, and find the same in the form prescribed by law; therefore,

Resolved, That Alexander Newman, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Kanawha, Mason, Cabell, Logan, Nicholas, Fayette, Jackson and Wayne, and find the same in the form prescribed by law; therefore,

Resolved, That Robert A. Thompson, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia. 8

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Amelia, Powhatan, Chesterfield and the town of Petersburg, pursuant to writs issued for that purpose, and find the same not in the form prescribed by law, but to the same effect; therefore,

Resolved, That James H. Cox, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Patrick, Henry and Pittsylvania, pursuant to writs issued for that purpose, and find the same not in the form prescribed by law, but to the same effect; therefore,

Resolved, That Clark Penn, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Charles City, James City, New Kent, Henrico and the city of Richmond, and find the same not in the form prescribed by law, but to the same effect; therefore,

Resolved, That Hill Carter, Esq. is duly elected a Senator to represent the district aforesaid, in the Senate of Virginia.

The committee have, also, had under consideration the return of a Senator from the district composed of the counties of Berkeley, Morgan and Hampshire, pursuant to writs issued for that purpose, and find the same in the form prescribed by law; therefore,

Resolved, That Thomas Sloan, Esq. is duly elected a Senator to represent the district aforesaid in the Senate of Virginia.

On motion of Mr. Atkinson,

Resolved, That the 4th rule of the Senate be suspended for the purpose of reconsidering the bill, "Concerning the laws in relation to gaming."

The Senate proceeded, accordingly, to reconsider the said bill, which, on motion of Mr. Atkinson, was further amended, and, as amended, on the question put thereupon, again, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

Mr. Cox, from the committee to whom was committed the bill, "Concerning the Branch coal mining company," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

On motion of Mr. Woolfolk,

Ordered, That the said bill and amendment be laid upon the table.

On motion of Mr. Conrad,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, FEBRUARY 3, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 3, 1843:

The House of Delegates have passed bills, entitled, "An act, to change the name of the town of Middletown in the county of Marion, to that of Fairmont," No. 63; and, "An act, concerning the Glebe and other lands of Bruton Parish," No. 68: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "To change the name of the town of Middletown in the county of Marion, to that of Fairmont," on motion, was read the second time, and ordered to be committed to Messrs. Willey, Newman and Shinn.

The bill, "Concerning the Glebe and other lands of Bruton Parish," on motion, was also, read the second time, and ordered to be committed to Messrs. Custis, Langhorne and Carter of C. C.

The Speaker laid before the Senate a letter from the Governor, communicating a statement showing the condition of the Merchants and Mechanics bank of Wheeling, which, being read, on motion of Mr. Newman, was ordered to be laid upon the table.

Mr. Cocke, from the committee to whom was committed the bill, "Incorporating the Jefferson society in the town of Charlottesville," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Cocke, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "Releasing to Jeremiah Kyle the Commonwealth's right to certain lands therein mentioned," which, on Wednesday last, was reported and ordered to be laid upon the table, on motion Mr. Preston, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Bondurant presented a copy of the proceedings of a numerous meeting of the citizens of Cumberland, for the purpose of taking into consideration the distress and embarrassing condition of the people in relation to their pecuniary concerns, which, being read, on his motion, was ordered to be laid upon the table.

Mr. Carter of C. C., from the committee to whom was committed the bill, "Concerning the weighing of live stock brought to the City of Richmond," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment was read,

On motion of Mr. Cox,

Ordered, That the said bill as amended, be laid upon the table.

On motion of Mr. Carson,

The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, FEBRUARY 4, 1843.

The Speaker laid before the Senate a letter from the Governor, transmitting copies of certain preamble and Resolutions lately adopted by the Legislature of Georgia, partly respecting the doctrine of repudiation of State debts, and in part responsive to certain Resolutions of the Commonwealth of Massachusetts; and, also, a report and Resolutions of the Legislature of New Hampshire, relative to the franking privilege and the reduction of letter postage, which, being read, on motion of Mr. Moffett, were ordered to be laid upon the table.

Mr. Rogers presented a copy of the proceedings of sundry citizens of Loudoun, in relation to the pecuniary embarrassment of the country and asking Legislative relief, which, being read, on his motion, was ordered to be laid upon the table.

Mr. Willey, from the committee to whom was committed the bill, "To change the name of the town of Middletown in the county of Marion, to that of Fairmont," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Concerning the weighing of live stock brought to the City of Richmond," which was yesterday reported, and ordered to be laid upon the table, on motion, of Mr. Carter of C. C., was taken up.

The amendment being again read, on motion of Mr. Preston, was amended, and as amended, on the question put thereupon, agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

On motion of Mr. Willey,

The Senate then adjourned until Monday next twelve o'clock.

MONDAY, FEBRUARY 6, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 4, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bill, entitled, "An act, to authorize a separate election in each of the counties of Hampshire and Rockingham, and to change the place of holding one in the county of Rockingham," No. 51.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Concerning general meetings of the New Shenandoah company," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Conrad, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Custis, from the committee to whom was committed the bill, "Concerning the Glebe and other lands of Bruton parish," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

On motion of Mr. Peyton,

The Senate then adjourned until to-morrow twelve o'clock.

TUESDAY, FEBRUARY 7, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 6, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act, to apply the profits of the Glebe Fund in Essex county to the support of free schools in the said county," No. 34; "An act, incorporating the Jefferson Society in the town of Charlottesville," No. 40; and, "An act, concerning the laws in relation to gaming," No. 48.

The Speaker laid before the Senate a letter from the Governor, communicating a statement showing the condition of the Bank of Virginia and its branches on the first ultimo, which, being read, on motion of Mr. McMullen, were ordered to be laid upon the table.

Mr. Bouldin offered the following Resolution, which, being read, on the question put thereupon, was agreed to by the Senate.

Resolved, That the Governor is hereby requested to furnish the Senate with a list of the names of the proxias of the State in the last general meeting of each Company in which the State has a vote, with the number of votes which the Commonwealth is entitled, placed opposite to the name of the proxy entrusted with it.

On motion of Mr. McMullen,

The Senate then adjourned until to-morrow twelve o'clock.

WEDNESDAY, FEBRUARY 8, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 7, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, concerning the weight of live stock brought to the city of Richmond," No. 39, with amendments thereto: In which they request the concurrence of the Senate.

And have passed bills, entitled, "An act, amending the acts passed the 17th of February 1827 and the 17th of March 1840-41, concerning divorces;" "An act, authorising the exchange of cannon with the Norfolk Light Artillery Blues," No. 85; and "An act, for the relief of Peter M. Meriwether and Joseph C. Wilson," No. 143: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The amendments proposed by the House of Delegates to the Senate's amendment to the bill, "Concerning the weighing of live stock brought to the city of Richmond," being delivered in and twice read, on motion of Mr. Moffett, the bill and amendments were ordered to be laid upon the table.

The bill, "Amending the acts passed the 17th of February 1827 and 17th of March 1840-41, concerning divorces," on motion, was read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "Authorizing the exchange of cannon with the Norfolk Light Artillery Blues," on motion, was also, read the second time, and ordered to be committed to Messrs. Langhorne, Conrad and Custis.

The bill, "For the relief of Peter M. Meriwether and Joseph C. Wilson," on motion, was also, read the second time, and ordered to be committed to the committee of Claims.

On motion of Mr. Piper,

The Senate then adjourned until to-morrow twelve o'clock.



THURSDAY, FEBRUARY 9, 1843.

Mr. Thornton from the joint committee appointed to examine the Treasurer's accounts made the following report, which, being read, on his motion, with the accompanying documents, was ordered to be laid upon the table.

The joint committee of the Senate and House of Delegates, to examine the Treasurer's accounts, have, according to order, performed that duty, and beg leave to submit the following report to their respective Houses:

By information derived from the Presidents of the Bank of Virginia, the Farmers Bank of Virginia, and the Exchange Branch Bank located in this city, the committee learn, that the annual report of the Treasurer to the General Assembly, exhibits the true balance on hand, on the morning of the 1st October, 1842, the commencement of the present fiscal year.

Every voucher, as well for receipts as disbursements, have been examined by the committee, compared with the entries on the books of the Treasurer, and found to correspond with perfect exactness. The committee, too, having gone over the additions, find all correct. The simplicity, method and accuracy, both in arrangements and results, which the books and accounts of the Treasurer manifest, struck the committee so forcibly that they cannot resist the pleasure of reporting the fact to the Legislature.

In conformity to what they deemed their duty, the Chairman addressed joint letters to the Auditor of Public Accounts and to the Second Auditor, in order to ascertain how much money had been paid into the Treasury, and how much disbursed, from the 30th September, 1842, to the morning of the 19th ultimo. The answers received from those officers are herewith submitted, and constitute a part of this report, and give the following information, to wit:

	Common-wealth.	Literary Fund.	Board P. Works.	N. W. T. Road.	C. S. Fund.	Total
Balance in Treasury, 1st October, 1842.	20,474 78	7,251 97	12,942 30	403 53	35 13	41,097 71
Received since, up to 19th January, 1843.	762,911 90	57,116 83	212,847 47			1,032,876 20
	783,386 68	64,368 80	225,789 77	403 53	25 13	1,072,973 91
Disbursed during same period.	728,600 63	50,374 89	177,686 20	112 50		956,774 22
Balances 19th January 1843.	54,786 05	13,993 91	48,103 57	291 03	25 13	117,199 69

From this statement it will be seen, that there should have been in the Treasury, on the 19th January, 1843, \$ 117,199. 69

The balances reported in Bank, to the credit of the Treasurer this day, by letters received from the Presidents of the Deposit Banks, before referred to, are as follows; to wit:

In the Bank of Virginia,	\$ 77,895 67
In the Farmers Bank of Virginia,	25,086 70
In the Exchange Bank of Virginia,	37,573 73

140,556 10

exhibiting an excess in favor of the Treasurer of \$ 23,356 41

This statement shows an unusually large excess in Bank, to the credit of the Treasurer, arising, doubtless, from the failure on the part of the holders of the Treasurer's checks, to draw their respective amounts to the extent of that excess, but it is confidently the opinion of the committee, that the amount so standing to the credit of the Treasurer, is amply sufficient to meet all checks so outstanding.

A minute and careful performance of their duty, enables the committee to report, that all the money which has come to the hands of the Treasurer, has been duly and satisfactorily accounted for according to law.

In conclusion, the committee feel that it is but justice in them to remark, that they have found the Treasurer, not only intelligent and

intimately familiar with the duties of his office, but polite and accommodating, furnishing every facility and aid in collecting and arranging the material of their action. In view of all which, they cannot forbear the expression of the opinion, that the preference of the last Legislature in the selection of a successor to the highly esteemed incumbent, who then declined a reappointment, was well founded.

JAS. B. THORNTON, JR. C. C. S.

H. HANCOCK, C. C. H. D.

February 8th, 1843.

Mr. Conrad, from the committee to whom was committed the bill, "Authorising the exchange of cannon with the Norfolk Light Artillery Blues," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. McMullen,

Resolved, That the joint committee to examine the Treasurer's accounts be instructed to inquire into the expediency of changing by law the amount of the penalty of the official bond of the Treasurer.

On motion of Mr. McMullen,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, FEBRUARY 10, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 9, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, concerning general meetings of the New Shenandoah company," No. 53.

The Speaker laid before the Senate the following letter from the Governor, which, being read, was, with the accompanying document, on motion of Mr. McMullen, ordered to be laid upon the table.

EXECUTIVE DEPARTMENT, February 9, 1843.

To the Speaker of the Senate,

Sir,—In conformity with the request of the citizens of Norfolk and the surrounding country that I should lay before you, officially, a copy of their proceedings in relation to the case of George Latimer, I herewith communicate a copy thereof for the information of the General Assembly.

I deem it proper, however, in making this communication to state, that one branch of the subject presented by the case of Latimer—that which regards him as a fugitive felon—has been taken up for prosecution and is still in the course of prosecution by this department. The correspondence, upon this branch, with the Governor of Massachusetts which was commenced by my predecessor will be resumed and, I would fain hope, with some more satisfactory result than has yet been obtained.

The other branch of the subject relating to the more effectual protection by law of the slave property of our people, and the more effectual protection also of the public peace from the repetition of such a case as that of Latimer's, is of far more pervading interest and difficulty, and upon this, having no matured suggestions to offer, I beg leave to commit it to the wisdom and patriotism of your Body.

I have the honor to remain, most respectfully,

Your obedient servant,

JA: McDOWELL.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "For the relief of Peter M. Meriwether and Joseph C. Wilson," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. McMullen, ordered to be laid upon the table.

The following message was received from the House of Delegates by Mr. Edmunds:

Mr. Speaker,—The House of Delegates have passed the bill, entitled, "An act, for arranging the counties of this Commonwealth into districts to choose representatives to Congress:" In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion of Mr. Bouldin,

Ordered, That 185 copies of the said bill be printed for the use of the members of the General Assembly.

On motions of Messrs. Peyton, Conrad and Cocke,

Ordered, That 185 copies of the amendments, presented by them to the Senate, and intended to be offered to the said bill be printed for the use of the members of the General Assembly.

On motion of Mr. Carter,

Resolved, That the bill laying out the State into Congressional districts be printed with the several schemes offered by members, with the federal numbers attached to each county, &c., so as to show the federal numbers in each district.

Mr. McMullen offered the following Resolution, which, on his motion, was ordered to be laid upon the table.

Resolved, That the Senate resolve itself into a committee of the whole, on Wednesday next, to take into consideration the bill arranging the State into Congressional districts.

Mr. Shinn offered the following to be inserted as one of the rules of the Senate.

All bills of a general nature reported to the Senate from the House of Delegates, shall, before they are acted on by the Senate, be printed for the use of the members of the Senate.

And, on the question being put thereupon it was disagreed to by the Senate. Ayes 3. Noes 25.

The ayes and noes, on that question, being required by Mr. Shinn, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Peyton, Sloan and Shinn—3.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Carson, Atkinson, Bondurant, Custis, Woolfolk, Conrad, Piper, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—25.

On motion of Mr. Bouldin,

The Senate then adjourned until to-morrow twelve o'clock.



SATURDAY, FEBRUARY 11, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 10, 1843.

The House of Delegates have passed a bill, entitled, "An act, concerning the administrator of Valentine Thomas Dalton, dec'd," No. 46: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to the committee of Claims.

The bill, "Incorporating the trustees of the Union Sunday School of Richmond county," which was under consideration when the Senate adjourned on the 17th ultimo, on motion of Mr. Peyton, was taken up.

And, on the question being then put on Mr. Thornton's motion to postpone the said bill, as amended, indefinitely, it was agreed to by the Senate. **Ayes** 14. **Noes** 10.

The ayes and noes, on that question, being required by Mr. Peyton, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Carson, Atkinson, Penn, Moffett, Sloan, Shinn, McMullen, Scott, Guerrant and McCauley—14.

Noes—Messrs. Cocke, Peyton, Bondurant, Conrad, Piper, Carter of C. C., Carter of R., Taylor, Rogers and Thompson—10.

Ordered, That the Clerk inform the House of Delegates of the indefinite postponement of the said bill.

On motion of Mr. Thornton,

The Senate then adjourned until Monday next twelve o'clock.



MONDAY, FEBRUARY 13, 1843.

On motion of Mr. Bouldin,

Resolved, That the Second Auditor is hereby requested to furnish the Senate with a list of the names of the officers and directors of each navigation and railroad company in which the Commonwealth is a share holder, with the salary and perquisites to which each man is entitled, placed opposite his name.

On motion of Mr. Peyton,

Resolved, That 185 copies of an amendment intended to be offered by him to the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress," be printed for the use of the members of the General Assembly.

The bill, "For the relief of Peter M. Meriwether and Joseph C. Wilson," which, on Friday last, was read the third time, and ordered to be laid upon the table, on motion of Mr. Carter of R., was taken up.

A part of the said bill was as follows:—"and that the Auditor do, also, issue a warrant on the treasury in favour of Joseph C. Wilson for the sum of four hundred and fifty dollars, that being the value of said Williams' condemned slave."

Mr. Bouldin moved to amend the said bill by striking out the words "four hundred" and inserting in lieu thereof the words "three hundred."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 13.

The ayes and noes, on that question, being required by Mr. Peyton, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Carson, Willey, Atkinson, Piper, Bouldin, Sloan, McMullen and Newman—8.

Noes—Messrs. Hunton (Speaker,) Cocke, Peyton, Bondurant, Conrad, Penn, Carter of C. C., Carter of R., Moffett, Scott, Gurrant, Rogers and McCauley—13.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That Mr. Carter of R., inform the House of Delegates thereof.

On motion of Mr. Willey,

The Senate then adjourned until to-morrow twelve o'clock.



TUESDAY, FEBRUARY 14, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 15, 1843.

"The House of Delegates agree to the amendments proposed by the Senate to the bill, entitled, "An act, concerning the Glebe and other lands of Bruton Parish," No. 68.

And have passed bills, entitled, "An act, explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks' office," No. 29; "An act, concerning the issuing of writs of *alias* or *pluries capias*," No. 57; "An act, amending the laws in relation to attachments against absconding debtors," No. 60; "An act, establishing the County of Ritchie out of parts of the counties of Harrison, Lewis and Wood," No. 64; "An act, concerning deeds and other title papers recorded in the former superior courts of law," No. 66; "An act, to authorise three separate elections in the county of Norfolk, and one in the county of Marshall," No. 80; "An act, establishing a new system for the training and mustering the 25th regiment, and for the militia of the Commonwealth," No. 111; and, "An act, in relation to a company of Cavalry in the county of Franklin," No. 131: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Establishing the county of Ritchie out of parts of the counties of Harrison, Lewis and Wood," on motion, was read the second time, and ordered to be committed to Messrs. Shinn, Willey and Newman.

The bill, "In relation to a company of cavalry in the county of Franklin," on motion, was also, read the second time, and ordered to be committed to Messrs. Campbell, Penn and Cocke.

The bill, "Concerning the issuing of writs of *alias* or *pluries capias*," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "To authorise three separate elections in the county of Norfolk, and one in the county of Marshall," on motion, was also, read the second time, and ordered to be committed to Messrs. Langhorne, Atkinson and Newman.

The bill, "Establishing a new system for the training and mustering the 25th regiment, and for the militia of the Commonwealth," on motion, was also, read the second time, and ordered to be committed to Messrs. Carter of R., Rogers, Campbell, McMullen and Woolfolk.

The bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks' office," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "Amending the laws in relation to attachments against absconding debtors," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "Concerning deeds and other title papers recorded in the former superior courts of law," on motion, was also, read the second time, and ordered to be committed to the same committee.

The Speaker laid before the Senate a letter from the Governor, communicating certain Resolutions relative to the Military Academy at West Point, lately adopted by the Legislature of Maine, which, being read, on motion of Mr. Bouldin, were ordered to be laid upon the table.

On motion of Mr. Bondurant,

The Senate then adjourned until to-morrow twelve o'clock.

WEDNESDAY, FEBRUARY 15, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 14, 1843.

The House of Delegates have passed bills, entitled, "An act, extending the provisions of the 7th section of the act, concerning the banks of this Commonwealth, to the counties of Pocahontas and Pendleton," No. 49; "An act, to secure to mechanics and others payment for their labor and materials expended in erecting or repairing houses and other buildings and their appurtenances," No. 70; "An act, giving to Sardis Cole, his heirs and assigns, further time to establish his ferry across the Ohio river," 72; "An act, concerning Henry Hayes," No. 74; and "An act, concerning the lien of judgments," No. 78: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Concerning Henry Hayes," on motion, was read the second time, and ordered to be committed to the committee of Claims.

The bill, "Giving to Sardis Cole, his heirs and assigns, further time to establish his ferry across the Ohio river," on motion, was also, read the second time, and ordered to be committed to Messrs. Shinn, Willey and Thompson.

Mr. Atkinson, from the committee to whom was committed the bill, "To authorise three separate elections in the county of Norfolk, and one in the county of Marshall," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Extending the provisions of the 7th section of the act, concerning the banks of this Commonwealth, to the counties of Pocahontas and Pendleton," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Concerning the lien of judgments," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "To secure the Mechanics and others payment for their labor and materials expended in erecting or repairing houses and other buildings and their appurtenances," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

On motions of Messrs. Peyton and Woolfolk,

Ordered, That 185 copies of the amendments proposed to be offered by them to the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress," be printed for the use of the members of the General Assembly.

Mr. Conrad offered the following resolution, which, on his motion, was ordered to be laid upon the table.

Resolved, That the Senate will, on Friday the 17th instant, resolve itself into committee of the whole, for the purpose of considering the bill, entitled, "An act, for arranging the counties of this Commonwealth into districts to choose representatives to Congress."

Mr. Campbell, from the committee to whom was committed the bill, "In relation to a company of Cavalry in the county of Franklin," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.

THURSDAY, FEBRUARY 16, 1843.

The following message was received from the House of Delegates by Mr. Gray:

Mr. Speaker—The House of Delegates have agreed to a Resolution, that they will, with the consent of the Senate, adjourn, *sine die*, on Monday the sixth day of March next: In which they request the concurrence of the Senate.

The said Resolution, being delivered in and twice read, on motion of Mr. Willey, was ordered to be laid upon the table.

Mr. Peyton, from the committee of Courts of Justice, to whom was committed the bill, "Amending the laws in relation to attachments against absconding debtors," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Mr. Peyton then moved that the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Amending the acts passed the 17th of February, 1827, and 17th of March, 1840-41, concerning divorces," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Mr. Bouldin offered an amendment to the said bill, and on motion of Mr. Peyton the bill and proposed amendment were ordered to be laid upon the table.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Concerning the lien of judgments," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks' office," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, the first, on the question put thereupon, was agreed to by the Senate.

On motion of Mr. McMullen,

Ordered, That the said bill and amendments, be laid upon the table.

On motion of Mr. Conrad,

The Resolution offered by him, on yesterday, proposing that the Senate should proceed, in Committee of the Whole, on Friday next, to the consideration of the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress," was taken up.

And, on the question being put upon the said Resolution, it was agreed to by the Senate. Ayes 15. Nocs 13.

The ayes and noes, on that question, being required by Mr. Conrad, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cooke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Scott, Rogers, Newman and Thompson—15.

Noes—Messrs. Hunton (Speaker,) Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, McMullen, Guerrant and McCauley—12.

On motion of Mr. Bouldin,

The Senate then adjourned until to-morrow twelve o'clock.



FRIDAY, FEBRUARY 17, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 16, 1843.

The House of Delegates have passed bills, entitled, "An act, to amend the act, entitled, an act, to incorporate the town of Danville in the county of Pittsylvania," No. 79; "An act, providing for the construction of slopes or sluices in dams across Cedar creek, the division line between the counties of Frederick and Shenandoah," No. 89; "An act, to amend the act, entitled, an act, reducing into one, the several acts prescribing the mode of ascertaining the taxable property within the Commonwealth, and of collecting the public revenue," No. 90; "An act, extending the conditions and restrictions imposed on country merchants retailing ardent spirits, to merchants retailing the same within incorporated towns," No. 91; "An act, to authorise a separate election in each of the counties of Louisa, Prince William and Rockingham," No. 93; "An act, to authorise a loan to Emory and Henry College from the uninvested capital of the Literary fund," No. 113; and, "An act, incorporating the town of Fairmont in the county of Marion," No. 148: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "To amend the act, entitled, an act, reducing into one the several acts, prescribing the mode of ascertaining the taxable property within the Commonwealth, and of collecting the public revenue," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Providing for the construction of slopes or sluices in dams across Cedar creek, the division line between the counties of Frederick and Shenandoah," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "To amend the act, entitled, an act, to incorporate the town of Danville in the county of Pittsylvania," on motion, was also, read the second time, and ordered to be committed to Messrs. Penn, Bondurant and McCauley.

The bill, "Extending the conditions and restrictions imposed on country merchants retailing ardent spirits, to merchants retailing the same within incorporated towns," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "To authorise a separate election in each of the counties of Louisa, Prince William and Rockingham," on motion, was also, read the second time, and ordered to be committed to Messrs. Guerrant, Moffett and Rogers.

The bill, "To authorise a loan to Emory and Henry college from the uninvested capital of the Literary Fund," on motion, was also, read the second time, and ordered to be committed to Messrs. McMullen, Piper and McCauley.

The bill, "Incorporating the town of Fairmont in the county of Marion," on motion, was also, read the second time, and ordered to be committed to Messrs. Willey, Newman and Shinn.

On motion of Mr. Cox,

Ordered, That 185 copies of an amendment intended to be offered by him to the bill, "For arranging the counties of this Commonwealth into districts to choose Representatives to Congress," be printed for the use of the members of the General Assembly.

Mr. McMullen moved that the Resolution for an adjournment of the General Assembly, sine die, on the 6th day of March next, which was yesterday received from the House of Delegates and ordered to be laid upon the table, be now taken up.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 17.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Conrad, were as follow:

Ayes—Messrs. Willey, Bondurant, Penn, Carter of C. C., Carter of R., Sloan, McMullen and Taylor—8.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Cocke, Peyton, Carson, Atkinson, Custis, Woolfolk, Conrad, Bouldin, Moffett, Scott, Guerrant, Rogers, McCauley and Newman—17.

On motion of Mr. Scott,

The Senate proceeded, pursuant to the Resolution agreed to yesterday, in committee of the whole, to the consideration of the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress,"—Mr. Carter of R., in the chair.

And, after sometime spent therein, the committee rose and the Speaker resumed the chair.

Mr. Carter of R., then reported that the committee of the whole had, according to order, had the said bill under consideration, had made some progress therein, and requested leave to sit again.

And, on the question being put thereupon, the leave to sit again was granted to the committee.

On motion of Mr. Bondurant,

The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, FEBRUARY 18, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 17, 1843.

The House of Delegates have passed a bill, entitled, "An act, changing the Spring terms of the Circuit Superior Courts of the counties of Caroline and Lancaster," No. 112: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to Messrs. Carter of R., Thornton and Taylor.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Concerning Henry Hayes," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

Mr. McMullen made the following report, which, being read, on his motion, was ordered to be laid upon the table.

The Joint Committee appointed to inquire "Whether any, and if any, what reductions of the expenses of the Government can be made; and to whom were referred resolutions of inquiry into the expediency of reducing the salaries of all officers and agents of the Government, payable out of the public treasury, 20 per cent., or some other just proportion; of reducing the salaries of the officers and agents of the various works of internal improvement in which the State is interested; of all other officers employed in business, the salaries of whom are paid directly or indirectly from the treasury of the State; and of dispensing with the services of the Chief Engineer of the State," have carefully examined and considered the various subjects committed to them, and beg leave respectfully to make the following report.

Your committee regard it as the solemn duty of the General Assembly, representing the wishes and the interest of the people of the Commonwealth, to adopt, at the present session, the most efficient means to revive the public credit, diminish the pecuniary embarrassments of the country, produce as far as practicable a spirit of economy in the administration of the Government, and to diminish the public debt of the State, a debt produced by an alarming and extravagant species of legislation calculated more to find places for the few than to promote the interests of the many.

They regard it as essential to the maintenance of republican principles, that the expenses of a government should correspond with its income, and the people are burdened beyond propriety when those expenses exceed a fair, just and necessary compensation to the public agents;

The professions before the people at the hustings of retrenchment and reform, are vain and delusory unless we show by our actions the honesty of our declarations.

Your committee design to recommend only such reductions as can be made, in their opinion, compatible with the interest of the State. They desire not to lessen the ability and faithfulness with which the government is administered. They wish not to drive the talents and integrity of men desirous to hold public stations, from the service of the Commonwealth, and induce them to seek office under the Federal Government, nor are they unaware that in order to procure *competent men*, *competent* salaries should be given. But, in their opinion, when the people are much embarrassed, the value of money greatly increased, calls for relief are coming from many parts of the country, and when it is manifest that the salaries of the officers are much higher than the wages or the earnings of men throughout the country, who are as intelligent, capable, faithful and patriotic as those who fill public stations, a sense of propriety, and a due regard to the welfare of the taxpaying part of the community, ought to induce the General Assembly to reduce the expenditures consistent with the most economical and faithful administration of the government.

Your committee are confident that the General Assembly would never have appointed them, and committed these grave and important subjects to their consideration, but from a conviction that something might be done, which, in some degree, would alleviate the condition of their constituents, without decreasing the ability and fidelity of public agents, nor was it raised for the purpose of creating the impression in the public mind, that the General Assembly was in favour of a decrease of expenditures, when it had not the firmness to proceed to bring about the curtailment whenever the public interest demanded it. Every recommendation made for lopping off useless and unnecessary consumption of the public treasure, for reducing the salaries of the officers and agents of the people to such an extent as "may be warranted by the exigencies of the times, and the general pecuniary embarrassments of the country," will no doubt command and receive the calm, serious and deliberate consideration of the General Assembly. In discharging the highly important trust confided to them, your committee have had a full sense of all the advantages resulting from a well administered government, and the necessity which now exists of increasing the taxes, to preserve the faith of the State, and to provide adequate supplies.

By many unwise acts of legislation, debts have been created, the interest on which must be punctually paid at all hazards, which of itself makes a considerable addition to the taxes ordinarily imposed. Heretofore, no means have been provided for the liquidation of these debts. Money has been borrowed by our predecessors to meet their expenditures, and the debt thus created has been paid by borrowing again. Thus, when the present Legislature assembled, a large debt was hanging over the State in favour of the banks, and no means provided for its payment.

To raise a sufficient amount of money to save the State from the humiliating and evil condition of being debtor to the banks, is now the solemn duty of the General Assembly. This fact rendering increased taxation necessary, we ought to decrease expenditures as much as possible.

In addition to this, by an almost universal prostration of business, of confidence and of credit, the pecuniary resources of a great portion of the people have been greatly exhausted, and their means of paying the exactions of the government, which *usually* they discharge freely and cheerfully, have, to an alarming extent, been diminished; and the question arises, ought not the expenditures of the government to be lessened, when the condition of the citizens become such as to render them less able to bear them in consequence of the reduction in the price of all the commodities of their trades and employments; and when, too, those who live upon taxation can procure at greatly decreased prices, all the necessaries, luxuries and comforts of life, from which cause the value of the privilege they possess of drawing their support from the public treasury becomes much enhanced? We are aware that the price of living is variable, and it would not be sound policy to change salaries with every change in the price of the products of the land. In many respects, however, the reduction of the costs of living appears to be permanent. We have passed through a time of speculation and extravagance, the like of which, we fondly hope, is not soon to occur, and if the salaries of officers were sufficient then, there ought now to be no objection to a curtailment of expenses that will comport with the interest of the people. But it may be alleged that the pay of the public functionaries has not heretofore been enough; but the answer to that objection is, that when provisions were much higher than *now*, and wages lower, there was no lack of men capable and willing to accept of office. Reduce the compensation corresponding with the times, and fidelity and capacity will still be commanded. There is something revolting in the reflection, that a season of pecuniary distress and suffering among the people is one of increased prosperity among the holders of office.

The committee have been most anxious to find some means of curtailing the cost of the legislative department—they have been and now are too great—the evil arises mostly from the long sessions of the General Assembly, and against their length there is loud complaint; to remedy the wrong, the committee deem it wise and proper to propose the reduction to be made in such a way as will effectually produce a diminution of the length of the sessions. The committee do not believe that the pay of the members of the General Assembly is too much if they would attend promptly and diligently to the business of the country. In our republican government, the people choose, or are supposed to choose, their Representatives according to merit. Those who are poor are as often meritorious and capable as others; and should the pay (of the members of the Legislature) be much reduced, it would not be sufficient to support them and to defray such expenses as must be necessarily incurred in attending faithfully, and intelligently, and influentially to the public business. In such an event none but the wealthy could afford to be legislators, to the great detri-

ment of our character and institutions. To keep poor men from participating in the legislation of the country, the British constitution allows no pay to the members of the House of Commons. We ought to allow no extravagance. But the offices of our country ought to be accessible alike to rich and poor. Especially so ought to be those offices filled by Representatives chosen by the people. Yet the expenses of legislation are too great. And as a remedy the committee propose to allow four dollars a day to each member for eighty-five days, and only two dollars a day after the expiration of that time. This the committee believe will curtail expenses and shorten the sessions of the Legislature more effectually than any thing else they could suggest. Nor do they conceive this proposition liable to the objections which have been urged to it. It is true it will appeal to the interest of the members of the Virginia Legislature to perform their duties in eighty-five days. If they do not, they will only receive half pay after the expiration of that time. Responsibility is so divided among a collection of men, that it is difficult to influence them to act in concert exactly in the same way in which they would act individually. And bodies of men will do that collectively, of which, individually, each one disapproves. And this fact renders it necessary, often times, to use such means to control the conduct of communities of men as would, if used to influence the conduct of an individual, be considered as degrading. And to induce a class of men to act as it would be desirable for a prudent and discreet man to act, it is necessary, generally, to make it the interest of each man of that class thus to act. The idea may be humiliating, but it is true. Thus each member of a Legislature may desire a short session, and yet each man may be contributing his mite to make a long one. If men are to sustain losses by such conduct they will be careful not so to act. And the committee are persuaded that if the pay of members is reduced one half after the expiration of eighty-five days from the beginning of any session of the Legislature, that it will become their interest to perform their duties within the eighty-five days, and thus an immense deal will be saved to the Commonwealth. If this reduction has no effect in shortening the sessions, it will even then save a great deal to the people of the Commonwealth. The adoption of this recommendation of the committee by the General Assembly must be productive of much good. By it the pay of the members of the Assembly will remain as it is for a sufficient time from the commencement of any session for the transaction of all the business devolved upon the Legislature. If, after the expiration of this time there are still important subjects to be acted upon, which the interests of the people require to be considered, there can be no doubt of the course which a Virginia Legislature will pursue; and upon an occasion so extraordinary as to require a protracted session, the law will be altered corresponding with the crisis. The committee have also recommended other curtailments of expenditures connected with the Legislative department of the Government, which can be made without injury to the public.

They have recommended also, a reduction of the salaries of many of the officers of the government, which can, they believe, be properly and judiciously made. And after these reductions are made, these salaries

will then be higher than those allowed and freely taken for services in the various occupations of society, which require ability, industry and faithfulness.

The expenses on works of Internal Improvements have been enormously high. The salaries of some of the officers (on these works of improvement) have been outrageously extravagant. From a statement herewith presented, and marked (O.), it appears that the expenses incurred of the pay of agents of the James River and Kanawha Company, from its organization to the first of December, 1842, amount to \$432,689 07. Few, if any, other works are more economically managed. There must be a reduction of the salaries of the officers on these works of Internal Improvement. Experience has demonstrated that high salaries have been invariably attended (in this State) by *no dividends*. The committee have, in the bill they report on this subject, proposed a reduction of expenses on all these works. Some of them are oppressing the State with debts, and at the same time profuse in expending money in the way of salaries. It is time that this practice should be discountenanced. And if the propositions of the committee on reducing the expenditures of railroad and canal companies, together with a proposition to dispense with expenditures connected with Internal Improvement schemes, shall be adopted by the General Assembly, a saving can be made to the Commonwealth of something like ten thousand dollars a year, while much also will be saved to individual stockholders.

The committee believe that the expenditures of the banks call loudly for curtailments. The annual pay of officers, and incidental charges, amounts to near two per cent. on a capital of \$10,350,897 77. The aggregate of salaries in 1842, was \$202,373. The committee have proposed a reduction of \$63,657. As the Commonwealth holds stocks amounting to \$4,192,600 in the banks, the proposed reduction will save to the Commonwealth \$25,784. The balance of the \$63,657 will be saved to the individual stockholders.

If the proposition of the committee to curtail the expenses of the Legislature and shorten its sessions be adopted, there will from ten to twenty thousand dollars be saved from this source of expenditure. Taking an average length of the sessions of the Legislature, if the bill they propose to enact into a law should have the effect of curtailing the length of the sessions, as they believe it will, there will twenty thousand dollars be saved to the country. If it should not have that effect, there will ten thousand dollars be saved.

The propositions to curtail expenses among the other departments of the government, will save \$9500 to the people. Should all the reductions proposed by the committee be adopted, there will be a saving to the people of the Commonwealth an aggregate amount of from \$56,000 to \$66,000, besides great gains to individual stockholders in all the joint stock companies. In compliance with instructions given the committee, they herewith report bills to carry out the views herein expressed. All which is respectfully submitted.

FAYETTE M'MULLEN, C. C. S.

WALTER D. LEAKE, C. C. H. D.

Mr. Penn, from the committee to whom was committed the bill, "To amend the act, entitled, an act, to incorporate the town of Danville in the county of Pittsylvania," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Willey, from the committee to whom was committed the bill, "Incorporating the town of Fairmont in the county of Marion," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Extending the provisions of the 7th section of the act, concerning the banks of this Commonwealth to the counties of Pocahontas and Pendleton," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. McMullen, from the committee to whom was committed the bill, "To authorise a loan to Emory and Henry college from the uninvested capital of the Litetary fund," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. McMullen made the following report, which, being read, on his motion, was ordered to be laid upon the table.

The Joint Committee appointed to inquire whether any, and if any, what reduction of the expenses of the Government can be made; and to whom was referred a resolution of inquiry "into the expediency of reporting such a bill as will require a reduction of the salaries of the officers and agents of the different banking incorporations of this State; the officers and agents of the various works of internal improvement in which the State is interested, and of all the other officers employed in business, the salaries of which are paid directly or indirectly from the treasury of the State; also, the fees and commissions of the Sheriffs and Clerks of this Commonwealth paid from the treasury or by the people," beg leave respectfully to submit, as a performance of their duty in part, the following report and resolutions:

The aggregate of capital of the various banks and branches in Virginia is \$10,350,897 77. The aggregate of the annual pay of the offi-

cers of the banks in Virginia and the branches thereof, including perquisites, on the first of January, 1842, was \$202,373; making the salaries of the officers amount to near two per cent, on their entire capital. Since January, 1842, some small reductions have been made in the salaries of the officers of some of the banks. The committee believe that the amount of salaries ought to be reduced so as to compel the directors to reduce the number of clerks and other officers of the banks. The duties of bank officers are now, in some of the best regulated banks of the Commonwealth, consolidated in this way, and an immense saving is made for the stockholders and the State; and they find, where this principle has been acted upon by any of the banks, the amount of salaries is now comparatively low, and will not be touched by what they conceive to be a necessary and proper rate of reduction in the expenses of the banks generally. In fact the amount of salaries in such banks, is lower than the amount of reduction they propose as a general rule would require. And the officers' salaries in these banks were fixed in high banking times. The actual amount of banking business has been greatly curtailed. There is no longer any need for so many officers as have been employed in the banks; and the cost of living has fallen very low. There seems to be no reason why the enormous expenses of our banking institutions should not be reduced.

The committee believe, that when the capital of a bank or branch is over \$1,000,000 an amount of salaries not exceeding $\frac{1}{2}$ of one per cent. is sufficient, on the entire capital of the bank or branch. Where the capital is over \$500,000 and less than a million, the amount of salaries ought not to exceed one and one-fourth ($1\frac{1}{4}$) per cent. on the entire capital. Where the capital of any bank or branch is more than \$200,000 and not over \$500,000, an amount of salaries not exceeding one and one-half per cent. Where the capital is not over \$200,000 and not under \$100,000, an amount of salaries not exceeding two per cent. Where the capital is less than \$100,000, two and one-half per cent. Wherefore, the committee recommend the adoption of the following resolution:

Resolved, That the joint committee be instructed to bring in a joint Resolution, requiring the State directors in the banking institutions of the Commonwealth as soon as possible, and the proxies representing the interests of the State in the meetings of the stockholders, to vote to limit the amount of salaries in the banks and branches of the Commonwealth, agreeably to the foregoing principles.

FAYETTE McMULLEN, C. C. S.

WALTER D. LEAKE, C. C. H. D.

Bank of Virginia, at Richmond,
Capital \$ 1,629,100.

Proposed amount of salaries:

President,	\$ 2,000
Cashier, (house and fuel,)	2,200
Assistant Cashier,	1,435
Teller,	1,200
Principal Accountant,	1,200
Book keeper,	1,100
Ditto,	1,000
Discount Clerk,	1,000
Runner and Porter,	750
Watchman,	333

\$ 12,218**Bank of Virginia, Petersburg,**
Capital \$ 450,000.

President,	600
Cashier,	1,800
Teller,	1,400
Book keeper,	1,200
Discount Clerk,	1,000
Note Clerk and Runner,	700

6,750**Bank of Virginia, Fredericksburg,**
Capital \$ 300,000.

President,	500
Cashier,	1,500
Book keeper and Clerk,	1,250
Teller, &c.	1,250

4,500**Bank of Virginia, Norfolk,**
Capital \$ 290,000.

President,	500
Cashier, (house and fuel,)	1,350
Teller,	1,000
Clerk and Runner, &c.	1,100
Watchmen,	400

4,350**Bank of Virginia, Portsmouth.**
Capital \$ 175,000.

President,	400
Cashier,	1,100
Teller,	900
Book keeper,	900
Watchman,	800

3,500**Bank of Virginia, Lynchburg,**
Capital \$ 300,000.

President,	600
Cashier & Discount Clerk,	1,400
Teller, (house and fuel,)	1,000
Book keeper,	900
Runner and Porter,	600

4,500**Bank of Virginia, Charleston,**
Capital \$ 150,000.

President,	450
Cashier, doing business of Cashier, Book keeper and Porter,	1,600
Teller, including duties of Discount Clerk & Runner,	950

3,000**Bank of Virginia, Buchanan,**
Capital \$ 200,000.

President,	780
Cashier and Book keeper,	1,500
Teller and Discount Clerk,	1,000
Runner and Porter,	750

4,000**Bank of Virginia, Danville,**
Capital \$ 150,000.

President,	400
Cashier & Discount Clerk,	1,800
Teller, Runner, &c.	900
Accountant,	700

3,000

Farmers Bank of Va. Richmond,
Capital \$376,950.

President, 2,000
Cashier, (house, &c.) 2,300
Asst. Accountant, 1,400
Teller, 1,200
do do 1,200
Discount and Note Clerk, 1,100
Runner and Porter, 661
10,961

Farmers Bank of Va. Norfolk,
Capital \$290,000.

President, 500
Cashier, 1,500
Teller, 1,100
Book keeper and clerk, 1,025
Watchman, 225
4,350

Farmers Bank of Va. Winchester,
Capital \$237,000.

President, 500
Cashier, 1,200
Teller, 950
Clerk, &c. 900
3,550

Farmers Bank of Va. Petersburg,
Capital \$370,000.

President, 500
Cashier, 1,400
Teller, 1,150
Clerk and Accountant, 1,000
4,050

Farmers B'k of Va. Fredericksb'g
Capital \$260,000.

President, 500
Cashier, (with fuel,) 1,400
Teller, 1,000
Book keeper and Clerk, 1,000
3,900

Farmers Bank of Va. Danville,
Capital \$120,000.

President, 500
Cashier, 1,100
Teller and Clerk, 1,000
do do 1,200
do do 1,200

Farmers Bank of Va. Farmville,
Capital \$141,400.

Salaries at present,
President, 750
Cashier and Teller, 1,200
Discount Clerk, 750
2,700

Less than two per cent.

Farmers B'k of Va. Charlottesville,
Capital \$85,000.

President, 500
Cashier, 1,035
Clerk, 600
1,985

Farmers Bank of Va. Lynchburg,
Capital \$300,000.

President, 750
Cashier, 1,600
Book keeper, 1,100
Clerk, 1,050
4,500

Farmers Bank of Va. Wytheville,
Capital \$85,575.

President, 300
Cashier, 1,000
Clerk, 600
1,900

Exchange Bank of Va. Norfolk,
Capital \$ 572,037 14.

President,	1,000
Cashier, in addition to house, &c.	2,000
Teller,	1,300
Accountant,	1,100
Discount & Transfer Clerk,	800
Runner and Porter,	500
Watchmen,	450
	<u>7,150</u>

Exchange Bank of Va. Petersburg
Capital \$ 475,000.

President,	700
Cashier,	1,835
1st Accountant,	1,200
Teller,	1,200
Clerk,	1,200
Runner, &c.	600
Watchmen,	400
	<u>7,125</u>

Exchange Bank of Va. Richmond
Capital \$ 475,000.

President,	700
Cashier,	1,800
1st Teller,	1,200
2d Teller,	1,200
Accountant,	1,000
Clerk,	1,000
Runner,	225
	<u>7,125</u>

Exchange Bank of Va. Clarksville
Capital \$ 200,000.

President,	630
Cashier, with house rent,	1,620
Teller and Clerk,	1,300
Runner and Guard,	450
	<u>4,000</u>

Bank of the Valley in Virginia,
Winchester—Capital \$ 468,000.

President,	600
Cashier,	3,050
Teller,	1,500
Discount Clerk & Runner,	900
Book keeper,	900
	<u>6,950</u>

Less than 1 and 1 half per cent.
being the present salaries.

Branch at Leesburg of Valley
Bank—Capital \$ 200,000.

Cashier, { rent 150 }	1,650
{ salary 1,500 }	
Clerk,	800
	<u>2,700</u>

Less than two per cent. present
salaries.

Branch of Valley Bank, Romney,
Capital \$ 210,000.

President,	350
Cashier, { rent 150 }	1,450
{ salary 1,200 }	
{ and fuel, }	
Clerk,	750
	<u>2,450</u>

Present salaries less than one and
half per cent.

Branch of Valley Bank, Charleston
Capital \$ 200,000.

President,	350
Cashier, { rent 150 }	1,550
{ salary 1,400 }	
Clerk,	750
	<u>2,550</u>

Present salaries less than two per
cent.

Capital Stock of Northwestern Bank and Branches, is \$740,000. Salaries of officers of the Branch at Wheeling amount to 5,900,—at Wellsburg to 1,045. There is no report from Parkersburg. The aggregate pay of the officers of Northwestern Bank and branches cannot amount to more than one and one-fourth per cent. upon their entire stock.

Whole capital of the Merchants and Mechanics Bank of Wheeling and branches \$520,500. Present amount of salaries is 7,800. Proposed reduction at Wheeling:

Cashier,	\$ 1,500
Teller,	1,100
Book keeper,	1,200
Clerk,	1,000
Watchman,	300

5,100

Branch at Morgantown,
Cashier's expenses remain as before

1,400

6,500

Bank of Virginia, at Richmond,
Capital \$1,629,100.

Amount of salaries,
Jan. 1, 1842, 23,933
Proposed am't of salaries, 12,218

Reduction, 11,715

Bank of Virginia, Petersburg,
Capital \$450,000.

Salaries in 1842, 8,925
Proposed salaries, 6,750

Reduction, 2,175

Bank of Virginia, Fredericksburg,
Capital \$300,000.

Salaries in 1842, 6,750
Proposed, 4,500

Reduction, 2,250

Bank of Virginia, Norfolk,
Capital \$290,000.

Salaries in 1842, 7,200
Proposed, 4,350

Reduction, 2,850

Bank of Virginia, Portsmouth.
Capital \$175,000.

Salaries in 1842, 6,300
Proposed, 3,500

Reduction, 2,800

Bank of Virginia, Buchanan,
Capital \$200,000.

Salaries in 1842, 4,250
Proposed, 4,000

Reduction, 250

Bank of Virginia, Lynchburg,
Capital \$300,000.

Salaries in 1842, 5,800
Proposed, 4,500

Reduction, 1,300

Bank of Virginia, Danville,
Capital \$150,000.

Salaries in 1842, 4,250
Proposed, 3,000

Reduction, 1,250

Bank of Virginia, Charleston, Capital \$150,000.	Farmers Bank of Va. Lynchburg, Capital 300,000 Dollars.
Salaries in 1842, 3,550	Salaries in 1842, 6,950
Proposed, 3,000	Proposed salaries, 4,500
Reduction, 550	Reduction, 1,750
Farmers Bank of Va. Richmond, Capital 876,950 Dollars.	Farmers B'k of Va. Charlottesville, Capital 85,100 Dollars.
Salaries in 1842, 19,850	Salaries in 1842, 2,400
Proposed, 10,961	Proposed, 1,985
Reduction, 8,889	Reduction, 415
Farmers Bank of Va. Petersburg, Capital 270,900 Dollars.	Farmers Bank of Va. Wytheville, Capital 85,575 Dollars.
Salaries in 1842, 7,300	Salaries in 1842, 2,750
Proposed, 4,050	Proposed salaries, 1,996
Reduction, 3,250	Reduction, 754
Farmers B'k of Va. Fredericksb'g Capital 260,000 Dollars.	Exchange Bank of Va. Norfolk, Capital 572,037 1/2 Dollars.
Salaries in 1842, 7,450	Salaries in 1842, 12,030
Proposed, 8,900	Proposed amount, 7,150
Reduction, 3,550	Reduction, 4,880
Farmers Bank of Va. Norfolk, Capital 250,000 Dollars.	Exchange Bank of Va. Richmond Capital 475,000 Dollars.
Salaries in 1842, 8,540	Salaries in 1842, 11,530
Proposed, 4,350	Proposed amount, 7,125
Reduction, 4,190	Reduction, 4,525
Farmers Bank of Va. Danville, Capital 120,000 Dollars.	Exchange Bank of Va. Petersburg, Capital 475,000 Dollars.
Salaries in 1842, 4,030	Salaries in 1842, 8,600
Proposed amount of salaries 2,400	Proposed amount, 7,125
Reduction, 1,630	Reduction, 1,475
Farmers Bank of Va. Winchester Capital 237,500 Dollars.	Exchange Bank of Va. Clarksville Capital 200,000 Dollars.
Salaries in 1842, 8,350	Salaries in 1842, 4,370
Proposed, 3,565	Proposed amount, 4,000
Reduction, 1,795	Reduction, 370
Farmers Bank of Va. Farmville, Capital 141,400 Dollars.	
Salaries in 1842, 2,700	
No change.	

**Bank of the Valley in Virginia,
Winchester—Capital \$ 468,100.**

Salaries in 1842, 6,950

Proposed amount, the same.

**Branch at Leesburg of Valley
Bank—Capital \$ 200,000.**

Salaries in 1842, 2,700

No change.

**Branch Valley Bank, Charleston,
Capital \$ 200,000.**

Salaries in 1842, 2,550

No change.

**Branch Valley Bank, Romney,
Capital \$ 210,000.**

Salaries in 1842, 2,450

No change.

**Capital Stock of Northwestern
Bank and Branches \$ 740,800.**

Aggregate of salaries, 6,945

No change.

**Whole Capital of the Merchants
and Mechanics Bank, Wheeling**

and Morgantown \$ 520,500.

In 1842, salaries at Wheel-

ing amounted to 6,400

Proposed salaries, 5,106

1,294

Salaries at Morgantown

Branch, 1,400

No change.

Whole Capital of the Bank of Virginia and Branches, \$ 3,543,100

**Total amount of pay of officers of Bank of
Virginia and Branches**

\$ 70,958

Total amount of salaries proposed,

45,878

Reduction,

25,140

Whole Capital of Farmers Bank, &c.,

2,660,525

Total amount of pay of officers of the Farmers

Bank of Virginia and Branches,

\$ 66,620

Total amount of salaries proposed,

40,397

Reduction,

26,223

Whole Capital of the Exchange Bank of Va. & Branches, 1,715,747 77.

Total pay of officers of the Exchange Bank of

Virginia and Branches, in 1842,

36,600

Amount of salaries proposed,

25,400

Reduction,

11,200

Amount of Capital of the Valley Bank and Branches,

1,078,100

Amount of Salaries in 1842,

13,650

No change.

Capital Stock of Northwestern Bank and Branches,

740,800

Aggregate amount of salaries, in 1842,

6,945

No change.

**Whole Capital of Merchants and Mechanics Bank of
Wheeling and Branches,**

520,500

Amount of salaries in 1842,

7,800

Proposed amount,

6,506

Reduction,

1,294

Aggregate of the annual pay of the officers of the Banks in Virginia and Branches thereof, including perquisites, in 1842,	\$ 202,378
Proposed amount of salaries,	138,716

Reduction,	63,657
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On motion of Mr. Bouldin,

Resolved, That the joint committee on retrenchment make out a tabular statement of the reduction of the expenses and salaries as reported by the retrenchment committee, and that it show both the present salaries as well as what they will be according to the report of the committee.

The following message was received from the House of Delegates by Mr. Broadus:

Mr. Speaker,—The House of Delegates have agreed to a Resolution, authorising the payment to Thomas Withers, his account as a witness before the committee on the memorial of Martin P. Brooke in relation to Judge Scott, without the oath required of the witness by the law passed at the present session of the General Assembly: In which they request the concurrence of the Senate.

The said Resolution, being delivered in, and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Newman, from the committee to whom was committed the bill, "Establishing the county of Ritchie out of parts of the counties of Harrison, Lewis and Wood," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Conrad then moved to amend the said bill by striking out the word "Ritchie," and insert in lieu thereof the word "Roane."

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 10. Noes 15.

The ayes and noes, on that question, being required by Mr. Conrad, seconded by Mr. Newman, were as follow:

Ayes—Messrs. Campbell, Peyton, Bondurant, Custis, Conrad, Penn, Carter of C. C., Carter of R., Guerrant and Rogers—10.

Noes—Messrs. Hunton (Speaker,) Carson, Willey, Atkinson, Woolfolk, Piper, Bouldin, Moffett, Sloan, McMullen, Scott, Taylor, McCauley, Newman and Thompson—15.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. McMullen,

The Senate then proceeded, in committee of the whole, to the consideration of the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress,"—Mr. Carter of R., in the chair.

And, after sometime spent therein, the Speaker resumed the chair,

And Mr. Carter of R., reported that the committee of the whole had taken the said bill under consideration, had made an amendment thereto, and requested leave to sit again.

On motion of Mr. McMullen,

The Senate then adjourned until Monday next twelve o'clock.

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MONDAY, FEBRUARY 20, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 18, 1843.

The House of Delegates have passed bills, entitled, "An act, authorising the erection of mill dams and to dam the water thereby, for a limited period," No. 23; "An act, divorcing Jane F. Gore from her husband John H. Gore," No. 92; "An act, to revive and extend the act passed in 1829, authorising the raising by way of lottery a sum of money, for improving the Fauquier and Alexandria turnpike," No. 96; "An act, changing the Company of Artillery attached to the 56th Regiment to a Company of Light Infantry," No. 102; "An act, to regulate the reward for killing wolves in the county of Kanawha," No. 107; "An act, allowing further time to the owners of lots in the town of Columbia in the county of Fluvanna to build on and improve the same," No. 108; and, "An act, releasing the militia of Wayne county, from the payment of fines on them in 1842, for failing to attend the training and regimental muster in Cabell county," No. 110:

And have adopted a resolution for proceeding on Saturday the twenty-fifth day of the present month to the election of a Councillor of State: In which bills and resolution they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being, also, delivered in and twice read, on motion of Mr. Bouldin was amended, by striking out the words "Saturday the twenty-fifth of the present month" and inserting in lieu thereof the words "the first day of March next."

And, on the question being then put upon the said Resolution, as amendment, it was agreed to by the Senate.

Ordered, That Mr. Bouldin inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "Divorcing Jane F. Gore from her husband John H. Gore," on motion, was read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "Authorising the erection of mill dams and to dam the water thereby for a limited time," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Allowing further time to owners of lots in the town of Columbia in the county of Fluvanna to build on and improve the same," on motion, was also, read the second time, and ordered to be committed to Messrs. Guerrant, Coeke and Bondurant.

The bill, "To regulate the reward for killing wolves in the county of Kanawha," on motion, was also, read the second time, and ordered to be committed to Messrs. Thompson, Newman and Willey.

The bill, "To revive and extend the act passed in 1829, authorising the raising by way of lottery, a sum of money for improving the Rauquier and Alexandria turnpike," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "Changing the company of Artillery attached to the 56th regiment to a company of Light Infantry," on motion, was also, read the second time, and ordered to be committed to Messrs. Rogers, Conrad and Carter of R.

The bill, "Releasing the militia of Wayne county from the payment of fines on them in 1842, for failing to attend the training and regimental muster in Cabell county," on motion, was also, read the second time, and ordered to be committed to the committee of Claims.

Mr. Willey, from the committee to whom was committed the bill, "Giving to Sardis Cole, his heirs and assigns further time to establish his ferry across the Ohio river," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Guerrant, from the committee to whom was committed the bill, "To authorise a separate election in each of the counties of Louisa, Prince William and Rockingham," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Thornton then moved an amendment to the said bill, and, on his motion, the bill and proposed amendment, were ordered to be laid upon the table. — On motion of Mr. Thornton,

Ordered, That 185 copies of the said proposed amendment, be printed for the use of the members of the General Assembly.

Mr. Thornton, from the committee to whom was committed the bill, "Changing the Spring terms of the Circuit Superior Courts of the counties of Caroline and Lancaster," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Carter,

Resolved, That the joint committee to examine the Treasurer's accounts be required to report the amount of warrants, which had been issued before the morning of the 19th of January last, and were unpaid at the banks of deposit respectively, on the morning of that day.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "To amend the act, entitled, an act, reducing into one, the several acts prescribing the mode of ascertaining the taxable property within the Commonwealth and of collecting the public revenue," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being read, on motion of Mr. Carter, the bill and amendments, were ordered to be laid upon the table.

Mr. Carter of R., from the committee to whom was committed the bill, "Establishing a new system for the training and mustering the 25th regiment and for the militia of the Commonwealth," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being read, and the first and second, again, read, on the questions put thereupon, were agreed to by the Senate.

On motion of Mr. Bouldin,

Ordered, That the said bill and other amendments be laid upon the table.

Mr. Woolfolk then moved that the Senate do now resolve itself into a committee of the whole, for the consideration of the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress."

And, on the question put thereupon, it was agreed to by the Senate. Ayes 15. Noes 8.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Preyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Scott, Guarrant, Rogers, McCauley and Newman—15.

Noes—Messrs. Carson, Willey, Atkinson, Bouldin, Penn, Moffett, Sloan and Taylor—8.

The Senate then proceeded, in committee of the whole, Mr. Carter of R., in the chair, to the consideration of the said bill, and, after sometime spent therein, the committee arose, and the Speaker resumed the chair.

Mr. Carter of R., then reported that the committee had taken under consideration the said bill, and made a further amendment thereto.

On motion of Mr. Woolfolk,

The Senate then adjourned until to-morrow twelve o'clock.

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TUESDAY, FEBRUARY 21, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 20, 1843.

The House of Delegates have passed bills, entitled, "An act, ceding the Commonwealth's right in certain lands, to the trustees of Preston academy," No. 69; and, "An act, concerning Samuel Houston and the administrator of John Saunderson, deceased," No. 59; In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Concerning Samuel Houston and the administrator of John Sanderson, deceased," on motion, was read the second time, and ordered to be committed to the committee of Claims.

The bill, "Ceding the Commonwealth's right in certain lands to the trustees of Preston academy," on motion, was also, read the second time, and ordered to be committed to the same committee.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Extending the conditions and restrictions imposed on country merchants retailing ardent spirits to merchants retailing the same within incorporated towns," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill. The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Bouldin, from the committee of Courts of Justice, to whom was committed the bill, "Divorcing Jane F. Gore from her husband John H. Gore," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put upon the passage thereof, rejected by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "To secure to mechanics and others payment for their labour and materials expended in erecting or repairing houses and other buildings and their appurtenances," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerk's office," on motion of Mr. Bondurant, was taken up.

Mr. Bondurant then offered an amendment to the said bill; Mr. McMullen, also, offered an amendment, and on his motion the bill, and proposed amendments were ordered to be laid upon the table.

On motion of Mr. Bondurant,

Ordered, That 185 copies of the amendment offered by him to the said bill, be printed for the use of the members of the General Assembly.

Mr. Bouldin then moved that the committee of the whole be discharged from the further consideration of the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress,"

And, on the question put thereupon, it was agreed to by the Senate. Ayes 13. Noes 12.

The ayes and noes, on that question, being required by Mr. Conrad, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Thornton, Carson, Willey, Atkinson, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant and McCauley—13.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Peyton, Bondurant, Woolfolk, Conrad, Carter of C. C., Carter of R., Rogers, Newman and Thompson—12.

On motion of Mr. Scott,

The said bill was then taken up.

Mr. Carter of R., from the committee of the whole, reported that the committee had taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The Senate then proceeded to the consideration of the said amendments.

Mr. Woolfolk moved that the said bill and amendments be laid upon the table.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 13. Noes 12.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Thornton, Peyton, Bondurant, Woolfolk, Conrad, Carter of C. C., Carter of R., Guerrant, Rogers, Newman and Thompson—13.

Noes—Messrs. Cox, Carson, Willey, Atkinson, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor and McCauley—12.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Authorising the erection of mill dams and to dam the water thereby for a limited period," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Atkinson, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "To extend the act, entitled, an act, reducing into one the several acts prescribing the mode of ascertaining the taxable property withing the Commonwealth and of collecting the public revenue," which was, yesterday, ordered to be laid upon the table, on motion of Mr. Bouldin, was taken up.

The amendments reported by the committee, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time.

Mr. Bouldin then offered a further amendment to the said bill, and, on motion of Mr. Atkinson, the bill and proposed amendment, were ordered to be re-committed to the committee of General Laws.

The bill, "To authorise a separate election in each of the counties of Louisa, Prince William and Rockingham," which was, yesterday, ordered to be laid upon the table, on motion of Mr. Moffett, was taken up.

The amendment offered by Mr. Thornton to the said bill, on yesterday, was, on his motion, withdrawn, with the consent of the Senate.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Thompson, from the committee to whom was committed the bill, "To regulate the reward for killing wolves in the county of Kanawha," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Guerrant, from the committee to whom was committed the bill, "Allowing further time to the owners of lots in the town of Columbia in the county of Fluvanna to build on and improve the same," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Concerning the Branch coal mining company," which, on the second instant, was ordered to be laid upon the table, on motion of Mr. Scott, was taken up; and, on his motion, ordered to be re-committed to the committee by whom it was reported.

Mr. Rogers, from the committee to whom was committed the bill, "Changing the company of Artillery attached to the 56th regiment to a company of Light Infantry," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion, — *Ordered*, That the said bill be laid upon the table.

Mr. Catter of R., from the committee of Claims, to whom was committed the bill, "Concerning the administrator of Valentine Thomas Dixon, deceased," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

On motion of Mr. McMullen,

Ordered, That the said bill, as amended, be laid upon the table.

On motion of Mr. McMullen,

Resolved, That when the Senate adjourns to-day, it will adjourn until Thursday next twelve o'clock.

On motion of Mr. Atkinson, — The Senate then adjourned accordingly.

THURSDAY, FEBRUARY 28, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 21, 1843.

The House of Delegates disagree to the amendment proposed by the Senate to the Resolution for the election of a Councillor of State.

And have passed a bill, entitled, "An act, authorising the exchange of arms with the Petersburg Light Infantry Greys and the Norfolk Virginia Guard," No. 103: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to Messrs. Cox, Langhorne and Atkinson.

The Senate proceeded to reconsider their amendment to the Resolution for the election of a Councillor of State, to which the House of Delegates disagreed—and, on motion of Mr. Bouldin, it was **receded** from by the Senate.

Ordered, That Mr. Bouldin inform the House of Delegates thereof.

Mr. Bouldin, from the joint committee on the Library, made the following report, which, being read, on his motion, was ordered to be laid upon the table:

The Joint Committee on the Public Library report that they have examined the account of the receipts and disbursements of the Librarian, and find that the receipts during the year 1842 were \$ 1,560 00
The unexpended balance on hand on the 1st Jan. 1842, was 23 17

	making	\$ 1,583 17
Which has been appropriated to the payment of		
the interest due the Literary Fund	\$ 502 68	
To the principal of that debt	500 00	
To the Virginia Military Institute, under the		
act of 18th March, 1841.	0 0	
To purchase of books and contingent expenses,	317 75	
Leaving an unexpended balance in the hands of		
the Librarian on the 1st Jan. 1843, of	262 74	
	<hr/> \$ 1,583 17	

All of which appears, more in detail, from the report of the Librarian, herewith communicated.

By the acts of February the 28th, 1829, and 22d of February, 1830, the Library borrowed of the Literary fund the sum of \$ 10,000. By the annual payment, above mentioned, of \$ 1,000, that debt is now reduced to \$ 7,500.

An inventory of books, &c. &c., which compose the Library fund, is herewith also returned, marked B., as well as an account of sales during the year 1842. By the last of which it appears that the most productive of all the stock owned by the Library are the Reports of Cases, the latest being the most saleable. It will be remembered that the expense of publishing these reports is paid directly by the public

Treasury, while the Library receives the proceeds of sale. The committee further state, that taking six years as an example, these Reports have cost the State, on an average, the sum of \$4,550 annually, and that the amount of sales, with the exception, perhaps, of one vol. of Leigh's Reports, has not paid for the publication. That the expense of publication has been unnecessarily enhanced by the costly binding heretofore used, and which the committee recommend should be discontinued with the commencement of the new system established by the law of the March, 1842. That as the Library is a direct charge on the public Treasury, the committee feel bound to recommend such a course as will most speedily, to some extent at least, remove that charge. And to that end they recommend the repeal of the act of the 18th of March, 1841, appropriating annually \$500 from the Library fund to purchase a Library for the Lexington Military Institute. From the Library fund the sum of \$500 has already been paid for the purpose aforesaid, which the committee most respectfully think ought not to be continued while the State is borrowing money to pay interest. All increase in the number of books and purchases for the Library has been stopped, with the exception of certain periodicals, a list of which is herewith returned.

The committee further state that the appropriation of the last year for the 10th and 11th vols. of Leigh's Reports fell short \$1,070 84, which ought to be supplied. That before the passage of the law of March 1842, altering the mode of paying for the Reports of Causes decided in the Court of Appeals, Mr. Leigh had progressed to a considerable extent in arranging the materials for the 12th vol. of his Reports, which are of course his private property. And he having declined acting as Reporter, after the passage of the law above mentioned, another was appointed. By communications with Mr. Leigh, through the Librarian, the committee learn that Mr. Leigh is willing to furnish the 12th vol. in the same manner and on the same terms that the previous vols. had been furnished. And as it is very necessary that the State should own the copy right of the entire series of Reports unbroken, they respectfully recommend that the 12th vol. be purchased in the manner signified.

What will be the cost of the Reports under the law of March 1842, the committee cannot now state with exactness. But it is estimated that the vol. now in the hands of the printer will not exceed \$3,500, for an impression of 700 vols.

The committee have considered the two following Resolutions of the House of Delegates, adopted January 30th. 1843; to wit:

"Resolved, That so much of the Governor's Message that related to the Public Documents received from the General Government be referred to the Library Committee, with instructions to report to this House the number of said Documents, and the best mode to dispose of them to promote the interest of the public."

"Resolved, That the Library Committee inquire into and report to this House the number and character of books belonging to the State and not used in the Public Library, and the best disposition in the opinion of the said committee to be made of the said books," and report thereon by Resolutions hereinafter written.

In conclusion, the committee offer the following Resolutions:

1st. *Resolved*, That the report of the Librarian be received, and his accounts and disbursements ending the 31st of December, 1842, be allowed.

2d. *Resolved*, That the sum of \$1,070 84 be appropriated to make up the deficiency in the appropriation of the last year for Leigh's Reports.

3. *Resolved*, That the sum of \$ be appropriated to purchase the 12th vol. of Leigh's Reports.

4. *Resolved*, That the law of the 18th March 1841, appropriating from the Library fund \$500 to purchase a Library for the Lexington Military Institute, be repealed.

5. *Resolved*, That the committee be discharged from the further consideration of the second resolution aforesaid of the House of Delegates.

6. *Resolved*, That the Documents mentioned in the first Resolution aforesaid be distributed to and among the county and corporation courts, the University, Colleges and Academies and incorporated Libraries in this Commonwealth.

The bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress, on motion of Mr. Atkinson, was taken up.

The first amendment reported by the committee of the whole, proposed to strike out the words "Cumberland and Fluvanna," composing a part of the fourth district, and inserting in lieu thereof the word "Bedford."

Mr. Bondurant moved to amend the said amendment by striking out the word "Cumberland" and inserting the word "Lunenburg."

After some discussion on the said amendment—

Mr. Atkinson moved that the previous question be now put.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 13. Noes 16.

The ayes and noes, on that question, being required by Mr. Bondurant, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Carson, Willey, Atkinson, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley & Thompson—13

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Piper, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—16.

And, on the question being put upon the amendment proposed by Mr. Bondurant, it was disagreed to by the Senate. Ayes 14. Noes 15.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Bondurant, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—14.

Noes—Messrs. Cox, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley and Thompson—15.

And, on the question being then put upon the said first amendment reported by the committee, it was disagreed to by the Senate. Ayes 13. Noes 16.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Cocke, Peyton, Custis, Woolfolk, Conrad, Piper, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—13.

Noes—Messrs. Cox, Thornton, Carson, Willey, Atkinson, Bondurant, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley and Thompson—16.

The second amendment reported by the committee, on the question put thereupon, was disagreed to by the Senate.

On motion of Mr. Conrad,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, FEBRUARY 24, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 23, 1843.

The House of Delegates have passed bills, entitled, "An act, providing for the appointment of a superintendent of the Prices' turnpike and Cumberland Gap road, and for other purposes," No. 97; "An act, authorising Joseph McClung and Christopher Champ to execute their official bonds and qualify as sheriffs of the counties of Greenbrier and Giles, before justices of the peace," No. 98; and, "An act, authorising the purchase of the copy right of Davis' criminal law and exposition of the office and authority of justices of the peace in Virginia, including forms of practice," No. 165: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Authorising the purchase of the copy right of Davis' criminal law and exposition of the office and authority of justices of the peace in Virginia, including forms of practice," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Providing for the appointment of a superintendent of the Prices' turnpike and Cumberland Gap road, and for other purposes," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

Mr. Cox, from the committee to whom was committed the bill, "Authorising the exchange of arms with the Petersburg Light Infantry Greys and the Norfolk Virginia Guards," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Carson, ordered to be laid upon the table.

Mr. Thornton, from the joint committee appointed to examine the Treasurer's accounts made the following report, which, being read, on his motion, was ordered to be laid upon the table.

The joint committee to examine the Treasurer's accounts directed by a resolution of the Senate to inquire into the expediency of altering by law, the amount of the penalty of the official bond given by the Treasurer, have performed that duty and beg leave, respectfully, to report:—

The present penalty of the official bond of the Treasurer is \$500,000, an amount, looking to the mode in which money is paid into and drawn from the treasury, and the safeguards and checks now provided by law for its protection far beyond what the committee deem requisite or reasonable. By law "all monies due" in any manner to the Commonwealth "shall be paid by the person or persons liable to pay the same" into certain banks designated, in the mode minutely described in the law itself. And it is expressly provided, that no collecting officer or other debtor to the Commonwealth, can relieve himself from liability, by payment "otherwise than according to those provisions." The first or second Auditor, as the case may be, having ascertained the amount due from any one paying money to the Commonwealth, gives to such individual "a warrant" directing the Treasurer to receive the sum therein mentioned. Upon this warrant, the Treasurer endorses an order to "the cashier of one of the deposite banks designated by law," requiring him to receive the amount, and thereupon it is carried to the credit of the Treasurer on the books of the bank.

The law too, minutely regulates the mode of drawing money from the treasury. All authority is expressly forbid the Treasurer "to draw any money standing to his credit, except by his check drawn upon a warrant issued by the Auditor, or second Auditor." And by express provision, either bank is rendered liable for any sum of money paid out otherwise than in the mode prescribed.

It appears to the committee, therefore, that the Treasurer's only responsibility, other than such as devolves upon him by special Acts of the Legislature, is in keeping the books and accounts of the department.

He does not touch a dollar when paid into or drawn from the treasury, nor has he the keeping of it while there. He directs the receipt of such amount as he is told to receive, and checks as required without being informed or seeking to know the reason or propriety of either. Yet the Auditors whose province it is to audit and adjust all claims of the Commonwealth, both with debtor and creditor, are required to execute official bonds, the one in a penalty of \$30,000, and the other \$20,000. The committee are therefore of opinion, that the penalty of the bond now required by law of the Treasurer is too great. They think that a bond in the penalty of \$100,000, an amount equal to double the aggregate penalty of the first and second Auditors' bonds would be ample in every aspect.

They therefore, respectfully recommend the passage of a law in conformity to these suggestions.

JAS. B. THORNTON, JR., C. C. S.
H. HANCOCK, C. C. H. D.

The bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerk's office," on motion of Mr. Bondurant, was taken up.

And, on his motion, ordered to be made the order of the day, for Tuesday next.

The bill, "Authorising Joseph McClung and Christopher Champ to execute their official bonds and qualify as sheriffs of the counties of Greenbrier and Giles, before justices of the peace," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

Mr. Carson, from the joint committee appointed to examine the Armory, made the following report, which, being read, on motion of Mr. Willey, was ordered to be laid upon the table.

The joint Committee to examine the Public Armory, have, according to order, performed that duty, and respectfully submit the following report:

For a detailed report of the arms, accoutrements, ordnance and equipments, &c. received and issued during the past year, the Committee refer to the report of Capt. John B. Richardson, communicated to the Legislature at its present session.

Your Committee examined the Armory Building, which has recently been repaired and fitted up for the reception of arms. Several of the arches in the lower story, have been securely walled up with brick, and a substantial floor made, so as to form two stories. The upper part thus formed, is calculated to hold a number of guns, and with a little repair to the roof, and closing the cupalo, is a suitable place for storing the arms packed in boxes.

The culvert below the foundry, which had given way during last summer, has not been repaired, and as it does not at all interfere with the culvert conveying water to one of the buildings now used as a mill, your committee do not think it essential that it should be rebuilt now.

The floors in most of the buildings are defective, and want some repairs.

The walls built for the cannon to rest on, seem to be substantial, and the guns themselves, appear to be in good order.

We examined a number of arms packed in boxes, of the dates of 1804, 1828, 1831, 1836, 1840, and 1842, and found them all in good order, except two cases of newly packed rifles, the stocks of which, were moulded. These were directed to be wiped and repacked. All the other arms, were found in good order, except a number of swords stored in an airtight chamber, which were damaged by rust and mould. This depository does not answer, and we recommend that it be taken down, and that the swords, when repaired, be packed in airtight boxes. We examined likewise, some sixty old swords recently returned, and believing they are worth repairing, we directed it to be done.

Your Committee report, that no appropriation will be necessary at this time, as it is believed the small sums necessary for repairs, may be had from the Executive.

From the thorough examination made, your Committee are fully satisfied that this institution has been conducted with a due regard to

the public interest, and a proper economy. The public property has been protected and preserved, and the neatness and arrangement do honor to the officers to whose management the affairs of the Institution have been entrusted.

While we thus speak of the Institution, we ought not to omit to mention the fine discipline, appearance and general deportment of the Public Guard, much of which, is attributable to the character and qualifications of the officers.

WM. CARSON, C. C. S.

ARCH'D. SAMUEL, C. C. H. D.

The bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress," on motion of Mr. McMullen, was taken up.

Mr. Conrad moved to amend the said bill, by striking out the word "Page" and inserting in lieu thereof the word "Hardy."

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 13. Noes 15.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Conrad, were as follow:

Ayes—Messrs. Cox, Campbell, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—13.

Noes—Messrs. Hunton (Speaker), Thornton, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant and McCauley—15.

Mr. Carter of C. C., then moved to amend the said bill by striking out the word "Louisa" and inserting in lieu thereof the words "New Kent and Charles City."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 13. Noes 15.

The ayes and noes, on that question, being required by Mr. Carter of C. C., seconded by Mr. Taylor, were as follow:

Ayes—Messrs. Hunton (Speaker), Campbell, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—13.

Noes—Messrs. Cox, Thornton, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant and McCauley—15.

Mr. Cox then moved to amend the said bill by striking out from the word "that" in the first line to the commencing clause and inserting the amendment heretofore offered by him, and ordered to be printed.

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 8. Noes 20.

The ayes and noes, on that question, being required by Mr. Cox, seconded by Mr. Moffett, were as follow:

Ayes—Messrs. Hunton (Speaker), Cox, Campbell, Cocke, Woolfolk, Piper, Carter of C. C. and Newman—8.

Noes—Messrs. Thornton, Peyton, Carson, Willey, Atkinson, Bondurant, Custis, Conrad, Bouldin, Penn, Carter of R., Moffett, Sloan, Shinn, McMullen, Langhorne, Taylor, Guerrant, Rogers and McCauley—20.

Mr. Carter of R., moved to amend the said bill by striking out the word "Stafford" after the word "Fauquier" and inserting the same before the word "King George."

And, on the question put thereupon, it was disagreed to by the Senate: Ayes 13. Noes 15.

The ayes and noes, on that question, being required by Mr. Taylor, seconded by Mr. Carter of R., were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Coeke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—13.

Noes—Messrs. Cox, Thornton, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant and McCauley—15.

Mr. Peyton moved to amend the said bill, by striking out the districts west of the Blue Ridge, and inserting the third amendment heretofore offered by him, and ordered to be printed.

And, on the question being put thereupon, it was disagreed to by the Senate: Ayes 10. Noes 18.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. Peyton, were as follow:

Ayes—Messrs. Campbell, Coeke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R. and Rogers—10.

Noes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Langhorne, Taylor, Guerrant, McCauley and Newman—18.

Mr. Carter of C. C., then offered an amendment to the said bill, when Mr. McMullen moved that the previous question be now put.

And, on the question put thereupon, it was agreed to by the Senate, which had the effect of cutting off the said amendment.

Ordered, That the said bill be read a third time.

The bill, was accordingly, read the third time, and on the question being put upon the passage thereof, was rejected by the Senate. Ayes 18. Noes 14.

The ayes and noes, on that question, being required by Mr. Campbell, seconded by Mr. Carter of C. C., were as follow:

Ayes—Messrs. Thornton, Carson, Willey, Atkinson, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Taylor, Guerrant and McCauley—18.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Peyton, Bondurant, Custis, Woolfolk, Conrad, Piper, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—14.

Ordered, That the Clerk inform the House of Delegates of the rejection of the said bill.

The Speaker laid before the Senate the following letter from the Governor, which being read, was, with the accompanying documents, on motion of Mr. Bouldin, ordered to be laid upon the table.

EXECUTIVE DEPARTMENT, February 24, 1843.

To the Speaker of the Senate,

Sir,—I have the honor herewith to communicate the information which was called for by a resolution of your body on the 7th ultimo, in relation to the names of the State proxies in her various companies and the votes, respectively therein, to which the State is entitled.

From the statement made, it will be seen that large amounts of stock belonging to the State in several of the banks, and standing in the name of "the Commonwealth of Virginia," have been represented by no proxy. None have been appointed, because there seems to be no distinct provision of law for the appointment of any. Whether this is a casual omission in the law, or one determined by considerations of public policy, the Legislature only can decide; and to it, with the suggestion of its existence, it is left.

I have the honor to remain, with great respect, your ob. ser.

J. A. McDOWELL.

On motion of Mr. Bouldin,

Ordered, That 185 copies of the said documents be printed for the use of the members of the General Assembly.

The Speaker, also, laid before the Senate a letter from the second Auditor in response to their resolution of the 13th instant, which being read, was, with the accompanying documents, on motion of Mr. Bouldin, ordered to be laid upon the table.

On his motion,

Ordered, That 185 copies of the said documents be printed for the use of the members of the General Assembly.

On motion of Mr. McMullen,

The Senate then adjourned until to-morrow twelve o'clock.



SATURDAY, FEBRUARY 25, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 24, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, authorising the erection of mill dams, and to dam the water thereby, for a limited period," No. 23.

And have passed bills, entitled, "An act, establishing the county of Barbour out of part of the counties of Harrison, Lewis and Randolph," No. 94; "An act, concerning the decisions of the General Court," No. 100; "An act, authorising the guardian of orphans of Jesse Tamlinson, deceased, to sell and convey the interest of his wards in a ferry therein mentioned," No. 118; "An act, repealing the several acts concerning the Board of Agriculture," No. 121; "An act, to authorise the opening of a new street near the lot of Thomas B. Bond in that part of the town of Petersburg called Gillfield," No. 122; and, "An act, concerning Philip Russell of Brooke county:" In which they request the concurrence of the Senate.

And their committee appointed to examine Enrolled Bills, have examined sundry such bills, which being found truly enrolled, are herewith communicated for farther examination.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

Ordered, That a committee to examine the Enrolled Bills be appointed; and Messrs. Cox, Penn, Carter of C. C., Sloan, Langhorne, Taylor and Guerrant were accordingly appointed a committee for the purpose.

Ordered, That the Enrolled Bills, this day received from the House of Delegates be referred to the said committee.

The bill, "Concerning Philip Russell of Brooke county," on motion, was read the second time, and ordered to be committed to the committee of Claims.

The bill, "To authorise the opening of a new street near the lot of Thomas B. Bond in that part of the town of Petersburg called Gillfield," on motion, was also, read the second time, and ordered to be committed to Messrs. Cox, Atkinson and Bouldin.

The bill, "Establisbing the county of Barbour out of part of the counties of Harrison, Lewis and Randolph," on motion, was also, read the second time, and ordered to be committed to Messrs. Shinn, Willey and Newman.

The bill, "Repealing the several acts concerning the Board of Agriculture," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Concerning the decisions of the General Court," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "Authorising the guardian of orphans of Jesse Tomlinson, deceased, to sell and convey the interests of his wards in a ferry therein mentioned," on motion, was also, read the second time, and ordered to be committed to Messrs. Newman, Willey and Shinn.

The bill, "Authorising the exchange of arms with the Petersburg Light Infantry Greys and the Norfolk Virginia Guards," which was, yesterday, read the third time, and ordered to be laid upon the table, on motion of Mr. Cox, was taken up.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The Senate proceeded, pursuant to the Resolution finally agreed to on Thursday last, by joint vote with the House of Delegates, to the election of a Councillor of State, to supply the vacancy which will be occasioned by the expiration of the term of service of John M. Gregory, Esq.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Daniel Ratcliffe—Messrs. Hunton (Speaker,) Willey, Woolfolk, Piper, Bouldin, Moffett, Shinn, McCauley and Newman—9.

For John M. Gregory—Messrs. Campbell, Thornton, Cocke, Boardman, Custis, Conrad, Carter of C. C., Carter of R., Langhorne and Rogers—10.

For John F. Wiley—Messrs. Cox, Atkinson, Penn, Sloan and Guerrant—5.

For James A. Seddon—Messrs. McMullen, Scott, Taylor & Thompson—4.

Ordered, That a committee be appointed to examine the votes, jointly with a committee from the House of Delegates; and Messrs. Cox, Custis, Carter of C. C., Moffett and Rogers were accordingly appointed a committee for the purpose.

The committee withdrew, and sometime after returning into the Chamber, Mr. Cox reported that the committee had, according to order,

met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The Senate again proceeded, pursuant to the said resolution, in like manner, to the election of a Councillor of State, to supply the vacancy aforesaid.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Daniel Ratcliffe—Messrs. Hunton (Speaker,) Willey, Woolfolk, Piper, Bouldin, Moffett, Shinn, McCauley and Newman—9.

For John M. Gregory—Messrs. Campbell, Bondurant, Custis, Conrad, Carter of C. C., Carter of R., Langhorne and Rogers—8.

For John F. Wiley—Messrs. Cox, Atkinson, Penn, Sloan and Guerrant—5.

For James A. Seddon—Messrs. Thornton, Scott, Taylor and Thompson—4.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after returning into the Chamber, Mr. Cox reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The Senate, again, proceeded, pursuant to the said resolution in like manner, to the election of a Councillor of State to supply the vacancy aforesaid.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Daniel Ratcliffe—Messrs. Hunton (Speaker,) Willey, Woolfolk, Piper, Moffett, Shinn, McCauley and Newman—8.

For John M. Gregory—Messrs. Campbell, Thornton, Payton, Bondurant, Custis, Conrad, Carter of C. C., Carter of R., Langhorne, Taylor and Rogers—11.

For John F. Wiley—Messrs. Cox, Carson, Atkinson, Bouldin, Penn, Sloan, Scott and Guerrant—8.

For James A. Seddon—Mr. Thompson—1.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after returning into the Chamber, Mr. Cox reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The following message was received from the House of Delegates by Mr. Worthington:

Mr. Speaker,—I am instructed by the House of Delegates to inform the Senate that the names of Daniel Ratcliffe and James A. Seddon, Esqrs., have been, again, added to the nomination in that House.

Ordered, That Mr. Cocke inform the House of Delegates that there has been no addition to the nomination in the Senate, and that they are now ready to proceed to the further execution of the joint order of the day.

The Senate, then, again, proceeded, pursuant to the said resolution, in like manner, to the election of a Councillor of State, to supply the vacancy aforesaid.

The Clerk called roll, whereupon it appeared that the members present voted as follows:

For Daniel Ratcliffe—Messrs. Hunton (Speaker,) Carson, Moffett and Shinn—4.

For John F. Wiley—Messrs. Cox, Willey, Atkinson, Piper, Bouldin, Penn, Sloan, Langhorne, Scott, Guerrant and Newman—11.

For John M. Gregory—Messrs. Campbell, Coke, Bondurant, Carter of C. C. and Rogers—5.

For James A. Seddon—Messrs. Thornton, Peyton, Woolfolk, McMullen, Taylor and Thompson—6.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after returning into the Chamber, Mr. Cox reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The following message was received from the House of Delegates by Mr. Leake of Albemarle:

Mr. Speaker,—I am instructed by the House of Delegates to inform the Senate that the name of Daniel Ratcliffe, Esq., has been dropt in that House, and the name of James A. Seddon, Esq., withdrawn.

Mr. McMullen then re-nominated Mr. Ratcliffe.

Ordered, That Mr. Atkinson, inform the House of the said renomination.

The Senate then, again, proceeded, pursuant to the said resolution, in like manner, to the election of a Councillor of State, to supply the vacancy aforesaid.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For John F. Wiley—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Scott, Guerrant, McCauley, Newman and Thompson—15.

For John M. Gregory—Messrs. Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Conrad, Carter of C. C., Langhorne and Rogers—10

For Daniel Ratcliffe—Messrs. McMullen and Taylor—2.

For James A. Sedden—Mr. Woolfolk—1.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and sometime after returning into the Chamber, Mr. Cox reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found a majority of votes in favor of John F. Wiley, Esq., who was thereupon declared by the Speaker duly elected a Councillor of State, for three years, from and after the thirty-first day of March next.

On motion of Mr. Cox,

Resolved, That the 29th rule of the Senate, which prescribes that when a bill or resolution from the House of Delegates is rejected or passed by the Senate, it shall remain under the control of the Senate for the space of two days, and the fact of the rejection or passage, shall then be communicated to the House of Delegates; be suspended as to the bill, yesterday rejected, entitled, "An act, for arranging the counties of this Commonwealth into districts to choose representatives to Congress," and that the said bill shall remain under the control of the Senate and not be communicated by the Clerk till Thursday morning next.

On motion of Mr. Campbell,

The Senate then adjourned until Monday next twelve o'clock,



MONDAY, FEBRUARY 27, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 25, 1843:

The House of Delegates have passed bills, entitled, "An act, concerning Jailors' fees," No. 106; "An act, directing payment from the school quota of Cabell county, for the year 1843, of a balance due to the county of Wayne," No. 124; "An act, incorporating the American Literary Institute of Bethany College," No. 125; "An act, concerning Thomas B. Taylor," No. 130; "An act, to authorize a ferry from the land of John Thompson, jr. in the county of Marshall across the Ohio river," No. 133; "An act, providing for the re-assessment of the Dover coal pit lands in the county of Goochland," No. 136; and "An act, incorporating the Jonesville Lyceum in the county of Lee," No. 138: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Concerning Jailors' fees," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

Mr. Thornton, from the Joint Committee appointed to examine the Treasurer's accounts, made the following report, which, being read, on motion of Mr. Carter, was ordered to be laid upon the table.

The Joint Committee to examine the Treasurer's accounts, required by a Resolution of the Senate to report the amount of warrants which had been issued before the morning of the 19th January last, and were unpaid at the Banks of Deposit respectively, on the morning of that day, in discharge of that duty have caused to be made out from the books of the Treasury Department, a full statement of the state of the

accounts of the Treasurer with the banks, on the morning of the day referred to.

In their annual report, the committee announced to the Legislature that there was on that day, an excess of \$23,356 41, standing to the credit of the Treasurer in bank, as reported by the bank officers.

By the statement now furnished and herewith reported, it appears that checks had been issued by the Treasurer, and unpaid at Bank, on the morning of that day, as follows, to wit:

On the Bank of Virginia,	\$ 20,993 90
On the Farmers Bank of Virginia,	951 72
On the Exchange Bank of Virginia.	142 92
	<hr/>
	\$ 22,088 14

From the same statement, it appears that the amounts paid into the banks and certificates of deposit not returned to the Treasurer, were as follows, viz:

In the Bank of Virginia,	\$ 520 00
In the Exchange Bank,	743 22
	<hr/>
	1,263 22
	<hr/>
	\$ 23,351 36

It also appears from the books of the Department, that there had been an aggregate gain to the Commonwealth, by reason of over paid fractions, from time to time, prior to April 1829, of \$4 85, and to the Literary Fund, in same way, of 20 cents,

5 05

Making the requisite balance of \$ 23,356 41

All of which is respectfully submitted.

JA'S B. THORNTON, Jr., C. C. S.

H. HANCOCK, C. G. H. D.

The bill, "Incorporating the Jonesville Lyceum in the county of Lee," on motion, was read the second time, and ordered to be committed to Messrs. McMullen, Piper and McCauley.

The bill, "Providing for the re-assessment of the Dover coal pit lands in the county of Goochland," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "To authorise a ferry from the land of John Thompson, jr., in the county of Marshall across the Ohio river," on motion, was also, read the second time, and ordered to be committed to Messrs. Newman, Willey and Atkinson.

The bill, "Concerning Thomas B. Taylor," on motion, was also, read the second time, and ordered to be committed to the committee of Claims.

The bill, "Incorporating the American Literary Institute of Bethany College," on motion, was also, read the second time, and ordered to be committed to Messrs. Newman, Willey and Shinn.

The bill, "Directing payment from the School quota of Cabell county for the year 1843 of a balance due the county of Wayne," on motion, was also, read the second time, and ordered to be committed to Messrs. Thompson, Piper and McMullen.

Mr. Newman, from the committee to whom was committed the bill, "Authorising the guardian of orphans of Jesse Tomlinson deceased to sell and convey the interests of his wards in a ferry therein mentioned," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Atkinson, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Authorising Joseph McClung and Christopher Champ to execute their official bonds and qualify as sheriffs of the counties of Greenbrier and Giles, before justices of the peace," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, also, from the same committee, to whom was committed the bill, "Repealing the several acts concerning the Board of Agriculture," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Scott, ordered to be laid upon the table.

Mr. Peyton, from the committee of General Laws, to whom was committed the bill, "Concerning the decisions of the General Court," reported that the committee had, according to order, taken the said bill under consideration, and made no amendments thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Shinn, from the committee to whom was committed the bill, "Establishing the county of Barbour out of part of the counties of Harrison, Lewis and Randolph," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Peyton, ordered to be recommitted to the committee by whom it was reported.

The bill, "To authorize a loan to Emory and Henry college from the uninvested capital of the literary fund," which, on the 18th instant, was reported, and ordered to be laid upon the table, on motion of Mr. McMullen, was taken up.

Ordered, That the said bill be read a third time.

The bill was accordingly read the third time.

A part of the said bill was as follows:

“Provided, That before such loan is made, the trustees of the college shall secure to the President and Directors of the Literary fund, by a mortgage or deed of trust on all the lands and tenements of the college, together with other and adequate personal security, independent of the said mortgage, as shall be sufficient, in the opinion of the president and directors of the literary fund to secure the punctual payment of the interest semi-annually, and *whenever it shall be required, the payment of the principal of the loan above authorised.*”

Mr. Conrad moved to amend the said bill by striking out from the word “and,” after the word “semi-annually,” to the end, and inserting in lieu thereof the words “for the repayment in equal annual instalments of the principal sum within the period of eighteen years.”

And, on the question being put upon the said proposed amendment, it was disagreed to by an equal division of the Senate. Ayes 14. Noes 14.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. Piper, were as follow:

Ayes—Messrs. Campbell, Thornton, Peyton, Willey, Custis, Conrad, Carter of C. C., Carter of R., Moffett, Langhorne, Scott, Guer-rant, Rogers and Newman—14.

Noes—Messrs. Hunton (Speaker,) Cocke, Carson, Atkinson, Bon-durant, Woolfolk, Piper, Penn, Sloan, Shinn, McMullen, Taylor, McCauley, and Thompson—14.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, “Authorising the purchase of the copy right of Davis’ criminal law and exposition of the office and authority of justices of the peace in Virginia including forms of practice,” reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, “Concerning the administrator of Valentine Thomas Dalton, dec’d,” which, on the twenty-first instant, as amended, was ordered to be laid upon the table, on motion of Mr. Carter, of R., was taken up.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time.

Mr. Atkinson then offered a further amendment to the said bill, and on motion of Mr. Carter of C. C., the bill and proposed amendment were ordered to be laid upon the table.

Mr. McMullen made a report in pursuance of the Resolution of the Senate of the 18th inst. which, being read, on his motion, was ordered to be laid upon the table. — On his motion,

Ordered, That 185 copies of the said report be printed for the use of the members of the General Assembly.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o’clock.

TUESDAY, FEBRUARY 28, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 27, 1843.

The House of Delegates have passed bills, entitled, "An act, authorising the school commissioners of Pocahontas to pay one years' quota of said county, from the Literary fund to the trustees of Little Levels Academy," No. 139; and, "An act, changing the time of holding the Circuit Superior Court, and the fall quarterly term of the county of Charlotte," No. 172: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Authorising the school commissioners of Pocahontas to pay one years' quota of said county from the Literary fund to the trustees of Little Levels Academy," on motion, was read the second time, and ordered to be committed to Messrs. McCauley, Piper and McMullen.

The bill, "Changing the time of holding the Circuit Superior Court, and the fall quarterly term of the county of Charlotte," on motion, was also, read the second time, and ordered to be committed to Messrs. Bouldin, Atkinson and Langhorne.

The Senate proceeded, pursuant to the order of Tuesday last, to the consideration of the bill, "Explanatory of the act of the 13th of March 1840, concerning the confession of judgments in the clerks' office."

Mr. Cox offered a further amendment to the said bill, and, on his motion, the bill and proposed amendments were ordered to be laid upon the table; and, on motion of Mr. Bondurant, made the order of the day for Thursday next.

Mr. Thompson, from the committee to whom was committed the bill, "Directing payment from the school quota of Cabell county for the year 1843; of a balance due to the county of Wayne," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Shinn, from the committee to whom was re-committed the bill, "Establishing the county of Barbour out of part of the counties of Harrison, Lewis and Randolph," reported that the committee had, according to order, again, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Cox,

Ordered, That the said bill be laid upon the table.

Mr. Newman, from the committee to whom was committed the bill, "Incorporating the American Literary Institute of Bethany College," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Concerning jailors fees," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Conrad, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Ceding the Commonwealth's right in certain lands to the trustees of Preston Academy," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. McMullen, from the committee to whom was committed the bill, "Incorporating the Jonesville Lyceum in the county of Lee," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee to whom was committed the bill, "To authorise a ferry from the land of John Thompson, jr., in the county of Marshall across the Ohio river," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Providing for the re-assessment of the Dover coal pit lands in the county of Goochland," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Guerrant, ordered to be laid upon the table.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Concerning Philip Russell of Brooke county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Establishing a new system for the training and mustering the 25th regiment and of the militia of the Commonwealth," which, on the twentieth ultimo, was ordered to be laid upon the table, on motion of Mr. Carter of R., was taken up.

Some of the amendments reported by the committee to the said bill, being again read, on the questions put thereupon, were agreed to by the Senate.—On motion of Mr. Peyton,

The Senate then adjourned until to-morrow twelve o'clock.

——
WEDNESDAY, MARCH 1, 1849.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, February 28, 1849.

The House of Delegates have adopted a Resolution for proceeding on the fourth of March next, by joint vote with the Senate, to the election of an Auditor of Public Accounts, the Second Auditor, Treasurer of the Commonwealth, Register of the Land Office, Store-keeper and Superintendent of the Penitentiary, each for one year.

And have passed bills, entitled, "An act, to incorporate the Powells' Hotel Company in the town of Petersburg," No. 137; "An act, for the relief of securities in forthcoming bonds in cases of injunction," No. 140; "An act, authorising the sale and conveyance of a house and lot at Charlotte Courthouse of which Martin Hart, died, seized and possessed," No. 141; "An act, to regulate certain fees for culling lumber in the City of Richmond," No. 144; "An act, concerning the duties of executors, administrators and curators," No. 145; "An act, to authorise the re-construction of the turnpike road from the Sweet Springs to the White Sulphur Springs," No. 146; "An act, divorcing Elizabeth C. Hutchings from her husband David W. Hutchings," No. 152; and, "An act, concerning the bonds of public officers and others," No. 195: In which resolution and bills they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being delivered in and twice read, on motion of Mr. McMullen, was amended, and as amended, on the question put thereupon, agreed to by the Senate.

Ordered, That Mr. Bondurant inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "Authorising the sale and conveyance of a house and lot at Charlotte Courthouse of which Martin Hart, died, seized and possessed," on motion, was read the second time, and ordered to be committed to Messrs. Bouldin, Atkinson and Cox.

The bill, "To authorise the re-construction of the turnpike road from the Sweet Springs to the White Sulphur Springs," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "Divorcing Elizabeth C. Hutchings from her husband David W. Hutchings," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "To regulate certain fees for culling lumber in the City of Richmond," on motion, was also, read the second time, and ordered to be committed to Messrs. Carter of C. C., Cox and Guerrant.

The bill, "To incorporate the Powell's Hotel company in the town of Petersburg," on motion, was also, read the second time, and ordered to be committed to Messrs. Cox, Bouldin and Atkinson.

The bill, "Concerning the duties of executors, administrators and curators," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "For the relief of securities in forthcoming bonds in cases of injunction," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "Concerning the bonds of public officers and others," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

Mr. Bouldin, from the committee to whom was committed the bill, "Changing the time of holding the Circuit Superior Court and the fall quarterly term of the county of Charlotte," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time,

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof,

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Concerning Thomas B. Taylor," reported that the committee had, according to order taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Bondurant, ordered to be laid upon the table.

Mr. Cox moved that the 4th rule of the Senate be suspended for the purpose of reconsidering the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress."

And, after some discussion thereon; Mr. Atkinson moved that the previous question be now put,

And, on the question put thereupon, it was agreed to by the Senate.

And, on the question being then put upon the said motion to reconsider, it was agreed to by the Senate. Ayes 18. Noes 12.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Newman, were as follow:

Ayes—Messrs. Cox, Thornton, Carson, Willey, Atkinson, Woolfolk, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—18.

Noes—Messrs. Hunton (Speaker,) Campbell, Cocke, Peyton, Bondurant, Custis, Conrad, Carter of C. C., Carter of R., McMullem, Langhorne and Rogers—12.

The Senate proceeded, accordingly to re-consider the said bill.

Mr. Woolfolk moved that it be committed to a committee of fifteen members, being one from each Congressional district as arranged in the said bill.

And, on the question put thereupon, it was agreed to by the Senate, Ayes 17. Noes 13.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., Shinn, McMullen, Rogers, McCauley, Newman and Thompson—17.

Noes—Messrs. Thornton, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Langhorne, Scott, Taylor and Guerrant—13

The bill, "Concerning the administration of Valentine Thomas Dalton, deceased," which, on Monday last, was ordered to be laid upon the table, on motion of Mr. Atkinson, was taken up.

The amendment heretofore proposed by Mr. Atkinson to the said bill, being read, on the question put thereupon, was agreed to by the Senate.

And, on the question being then put upon the said bill, as amended, it was passed by the Senate.

The title of the said bill, on motion of Mr. Atkinson, was also, amended, by adding to the end thereof the words "and in relation to military claims."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

The bill, "Providing for the re-assessment of the Dover coal pit lands in the county of Goochland," on motion of Mr. Atkinson, was taken up.

The said bill, on motion of Mr. Cox, was amended.

Mr. Atkinson then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates of the indefinite postponement of the said bill.

On motion of Mr. Newman,

Resolved, That when the Senate adjourns to-day, it will adjourn until to-morrow ten o'clock.

On his motion,—The Senate then adjourned accordingly.



THURSDAY, MARCH 2, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 1, 1843.

The House of Delegates have passed bills, entitled, "An act, restricting the Banks in the issue of small notes," No. 115; "An act, authorising the removal of certain slaves therein mentioned, held for life, to the State of Maryland," No. 153; and, "An act, changing the time of accounting for the taxes on licenses to merchants and others," No. 206: In which they request the concurrence of the Senate,

And they agree to the amendment proposed by the Senate to the Resolution for the election of the first and second Auditors and the Treasurer, Register of the Land Office, Storekeeper and Superintendent of the Penitentiary.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Restricting the Banks in the issue of small notes," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Changing the time of accounting for the taxes on licenses to merchants and others," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "Authorising the removal of certain slaves therein mentioned, held for life, to the State of Maryland," on motion, was also, read the second time, and ordered to be committed to Messrs. Sloan, Carson and Conrad.

Ordered, That Messrs. Woolfolk, Atkinson, Bouldin, Penn, Bon-durant, Cox, Custis, Carter of R., Rogers, Carson, Peyton, McCauley, McMullen, Thompson and Newman be appointed a committee to take into consideration the bill, "For arranging the counties of this Commonwealth into districts to choose representatives to Congress," in pursuance of the order of yesterday.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Concerning the bonds of public officers," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Atkinson, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Cox, from the committee appointed to examine the Enrolled Bills, reported that the committee had, according to order, examined sundry such bills, which were found truly enrolled.

The bill, "Repealing the several acts concerning the Board of Agriculture," which, on Monday last, was read the third time, and ordered to be laid upon the table, on motion of Mr. Atkinson, was taken up.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Bouldin,

Resolved, That the 4th Rule of the Senate be suspended for the purpose of re-considering the bill, "Changing the time of holding the Circuit Superior Court and the fall quarterly term of the county of Charlotte," which was yesterday passed by the Senate.

The Senate proceeded, accordingly, to re-consider the said bill, and, on motion of Mr. Bouldin, it was ordered to be laid upon the table.

Mr. Moffett, from the joint committee appointed to examine the Penitentiary Institution, made the following report, which, being read, on his motion, was ordered to be laid upon the table.

The Joint Committee to examine the Penitentiary, have performed that duty, and beg leave to submit the following report:

They have examined the Penitentiary with care and attention, and are satisfied that a proper regard has been paid by the Superintendent to the interests of the State, and that the management is such as to reflect great credit upon those under whose control it is placed.

We are gratified in being able to state, that notwithstanding the pressure of the times, the aggregate amount of goods sold during the fiscal year ending 30th September, 1842, and those delivered to the Lunatic Asylums, exceed those of the preceding year the sum of \$3,197 55; that the amount of goods manufactured exceed those of the preceding year \$3,789 69, but that the profits on the manufactures of the last year are less, however, by \$854 41.

The embarrassment of the institution may be exhibited from the fact of the increase of the stock on hand to the amount of \$5,810 26, and that no money was paid into the treasury, when in the preceding year the payments amounted to \$7,000. It appears, also, that the institution has, to some extent, been deprived of the benefit of the cash system of purchases, as there was due from the agent for raw materials delivered and unpaid on the 20th of September, the sum of \$4,429 41. How far this operated as an injury, we are unable to decide.

The number of convicts on the 30th of November last, was 211, and greater than at any period since 1824.

It is a fact perhaps worthy of note, that of this number 140 are under the age of 30 years. With this brief statement of facts, it may well be asked what changes, if any, are necessary in the management of this institution? Your committee are not aware that the quantity and quality of manufactured articles could be materially increased with the present machinery, or that a greater degree of industry or production could be expected, from the present character of the convicts, more especially as seventy-five raw and unskilful hands were admitted during the last year. It may not be amiss to suggest whether or not it be expedient to increase the minimum period of confinement, or whether some other mode of punishment, less expensive, might not be substituted for offences involving a small degree of crime. The average cost of transporting prisoners to the Penitentiary exceeds eighty dollars, although the number of guards is now reduced; and when the cost of conviction and imprisonment in the county jails is added to that of transportation to the Penitentiary, the aggregate costs is very considerable for each prisoner, and may well attract the attention of the Legislature.

Your committee have devoted some attention to the subject of economizing the expenses of the institution, and submit the following recommendations: 1st. As to the interior guard. This subject was specially referred to your committee by resolution, and has been duly considered. The directors, in their last report, entertain the opinion

that the interior guard might be abolished and the duties transferred and imposed upon the assistant keepers. In order to a correct understanding of the whole matter, we requested the attendance of the Superintendent and President of the Board of Directors, and elicited their views as to the proposed change and the necessary information respecting the duties now performed by the guard and assistant keepers. Your committee came to the conclusion that the duties of the guard could not with safety be transferred to the assistant keepers, but that two of the guard might with propriety be dispensed with, which they accordingly recommend. The saving thus effected would be \$720 annually.

2d. We inquired into the propriety of dispensing with a portion of the Board of Directors, which at present consists of five members. The duties of said Board are prescribed by law, and they hold but one meeting weekly, unless some emergency requires that they meet oftener. It seems to your committee that three individuals can perform the said duties quite as well as five, and the services of two be dispensed with, saving in this way \$300 annually. Your committee considered the propriety of transferring the duties of the Board of Directors upon the members of the Executive Council, and are of opinion that the change should not be made.

3d. We directed our inquiries to the pay and emoluments of the Agent. By the existing laws he receives a commission of eight per cent. upon all goods sold and delivered, at the store and Penitentiary, as well as upon those delivered the Lunatic Asylums. This amounted in the last fiscal year, to \$3,382 49. Is not this compensation too high? especially when we recollect that the amount of sales upon which this commission was charged, accrued during the present financial embarrassment. Your committee, desirous of ascertaining all the facts connected with the amount of the compensation, directed the Chairman on behalf of the House of Delegates, to correspond with a number of the commission merchants here, and request from them an answer to certain queries. From these answers we learn that the commission charged by them in the wholesale business, does not exceed 5 per cent. for selling and guaranteeing; exclusive, however, of drayage, insurance, and storage. It is presumed as a fair basis of calculation, that the average sales in future will amount to \$45,000, eight per cent. commission on which is \$3,600; deduct from this the estimated costs of conducting a business of this character, say \$1,500, and there is left for the risk of guarantee and as compensation, the sum of \$2,100. This, your committee believe, is too much, and therefore recommend a reduction of the commission. Connected with this subject your committee have considered the proposition of allowing the Agent the privilege of keeping and selling all articles of merchandize not coming in direct and injurious competition with the Penitentiary manufactures. Your committee believe that such a permission, so far from producing any injury to the public interests, would be calculated to promote it; as a larger and more general assortment would attract purchasers, and a larger amount of sales be thus effected: we therefore recommend that this permission should be

granted, more especially as the State, sustaining no injury thereby, would be profited by an annual saving of some eight or nine hundred dollars. The Agent could not complain, as the enlargement of his business would require but little additional expense in conducting it, and a commission of six per cent. would thus be made nearly, if not quite equal, to the present compensation.

4th. Your committee have also inquired into the expediency of dispensing with the extra allowance to the assistant keepers, and have come to the conclusion that the pay should be continued, but that the contingency upon which the right to claim it should be changed, so as to make the allowance depend upon the fact, whether the profits from the manufacturing operations exceed by seven hundred dollars, the cost of the raw materials, as well as the legitimate charges against the Institution, and including the pay of the interior guard, which is now made directly from the Treasury. Your committee refer particularly to the views of the Board of Directors upon this subject, as submitted in their last report. (Document 16, page 4.)

5th. Your committee would state that the balance due from the late Agent has been reduced, by payments made to the present Agent, to the sum of \$ 1,990. Your committee examined with care the books kept at the Store, and found them to correspond with the quarterly and annual settlements made by the Directors. The goods seem to be well arranged, and a proper attention paid by the Agent to the management of the Store.

Your committee will accompany this report with a bill to carry out the contemplated change.

The bill, "Establishing a new system for the training and mustering the 25th regiment, and for the militia of the Commonwealth," which, on Tuesday last, was ordered to be laid upon the table, on motion of Mr. McMullen, was taken up.

One of the amendments reported by the committee proposed to strike out the eleventh section of the said bill, which as amended, was as follows:

11. "*Be it further enacted*, That hereafter the members of volunteer companies residing in the city of Richmond, and in other boroughs and towns in the Commonwealth, whose population, according to the late census, exceeds two thousand, shall, in consideration of their services in said companies, be exempt from service on petit juries during their membership with said companies: *Provided*, That no member of a volunteer company shall avail himself of the privileges of the section of this act, unless he shall satisfy the sheriff or other officer who may summon him as a petit juror, *on oath*, that he is *bona fide* a member of such a company, that he is enlisted for a term of not less than three years, that he is fully uniformed, armed and equipped for service in his company, and that he is *faithful in the discharge* of his duty in such service: *And provided moreover*, That the number in any volunteer company subject to the provisions of the 11th section of this act, shall not exceed the maximum number now authorised by law to such company. And it shall be the duty of the commandants of volunteer companies coming within the provisions of the 11th sec-

tion of this act, in the month of April for the present year, and in the month of January or February in each and every year thereafter, to furnish the sergeant of his town, or sheriff of his county, as the case may require, a list of such members of his company, not exceeding said maximum number, as may be exempt from jury service by this act, embracing such only in said lists as are faithful in the discharge of their duties as soldiers. And in case of failure to furnish such list, certified and signed, the commandant of any such company so failing shall, for each failure, upon the report of the sheriff to the judge of the circuit superior court of law and chancery in whose district such company may reside, be fined by said judge in a sum of not less than five nor more than ten dollars; and all fines thus imposed and collected shall be appropriated to the benefit of the Literary fund."

And, on the question being put thereupon, it was agreed to by the Senate. Ayes 20. Noes 11.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. Carter of C. C., were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Thornton, Cocke, Willey, Atkinson, Baptist, Custis, Woolfolk, Conrad, Piper, Bouldin, Penn, Carter of R., Moffett, Shinn, Guerrant, McCauley, Newman and Thompson—20.

Noes—Messrs. Cox, Peyton, Carson, Bondurant, Carter of C. C., Sloan, McMullen, Langhorne, Scott, Taylor and Rogers—11.

The amendment reported by the committee proposing to strike out the 12th section, on the question put thereupon, was agreed to by the Senate.

The amendment reported by the committee proposing to amend the 13th section, on the question put thereupon, was disagreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

The Senate proceeded, pursuant to the order of the day, to the consideration of the bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks office."

The amendments reported by the committee not heretofore agreed to, were passed over, and the Senate proceeded to the consideration of the amendment proposed by Mr. Bondurant.

Mr. McMullen moved that the said bill and proposed amendments be re-committed to a select committee.

And, on the question put thereupon, it was agreed to by the Senate.

On motion of Mr. McMullen,

Resolved, That when the Senate adjourns to-day, it will adjourn until to-morrow twelve o'clock.

On his motion,—The Senate then adjourned accordingly.

FRIDAY, MARCH 2, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 2, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, authorising the guardian of orphans of Jesse Tomlinson, deceased, to sell and convey the interests of his wards in a ferry therein mentioned," No. 118.

And have passed bills, entitled, "An act, authorising a payment to Christopher C. Dillard from the school quota of Nelson county for 1843," No. 159; and, "An act, concerning the school commissioners of Hardy county," No. 161: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Authorising a payment to Christopher C. Dillard from the school quota of Nelson county for 1843," on motion, was read the second time, and ordered to be committed to Messrs. Cooke, Bondurant and Woolfolk.

The bill, "Concerning the school commissioners of Hardy county," on motion, was also, read the second time, and ordered to be committed to Messrs. Carson, Sloan and Conrad.

Ordered, That Messrs. McMullen, Bondurant, Moffett, Conrad and Preston be appointed a committee to take into consideration the bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks office," with the amendments, pursuant to the order of yesterday.

The bill, "Changing the time of holding the Circuit Superior Court and the fall quarterly term of the county of Charlotte," which was yesterday re-considered and ordered to be laid upon the table, on motion of Mr. Bouldin, was taken up.

The said bill, on motion of Mr. Bouldin, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "Concerning the lien on judgments," which, on the 16th ultimo, was reported and ordered to be laid upon the table, on motion of Mr. Bouldin, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Establishing the county of Barbour out of part of the counties of Harrison, Lewis and Randolph," on motion of Mr. Langhorne, was taken up.

Mr. Langhorne moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 23.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Shinn, were as follow:

Ayes—Messrs. Cox, Campbell, Peyton, Baptist, Bondurant, Carter of C. C., Langhorne and Rogers—8.

Noes—Messrs. Hunton (Speaker,) Thornton, Cocke, Carson, Willey, Atkinson, Woolfolk, Conrad, Piper, Preston, Bouldin, Penn, Carter of R., Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—23.

And, on the question being then put upon the said bill, it was passed by the Senate. Ayes 23. Noes 7.

The ayes and noes, on that question, being required by Mr. Langhorne, seconded by Mr. Willey, were as follow:

Ayes—Messrs. Hunton (Speaker,) Thornton, Cocke, Carson, Willey, Atkinson, Woolfolk, Conrad, Piper, Preston, Bouldin, Penn, Carter of R., Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—23.

Noes—Messrs. Cox, Campbell, Peyton, Baptist, Carter of C. C., Langhorne and Rogers—7.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

On motion of Mr. Bouldin,

The Senate then adjourned until to-morrow twelve o'clock.



SATURDAY, MARCH 4, 1843.

Mr. Sloan, from the committee to whom was committed the bill, "Authorising the removal of certain slaves therein mentioned; held for life, to the State of Maryland," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Carson, from the committee to whom was committed the bill, "Concerning the School Commissioners of Hardy county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. McCauley, from the committee to whom was committed the bill, "Authorising the School Commissioners of Pocahontas to pay one year's quota of said county from the Literary fund to the trustees of Little Level's academy," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The following message was received from the House of Delegates, by Mr. Edmunds:

Mr. Speaker,—The House of Delegates are now ready to proceed to the execution of the joint order of the day, so far as relates to the election of First and Second Auditors, Treasurer, Register of the Land Office and Secretary of the Commonwealth and Librarian, and have suspended their rule so as to vote for all of said officers at one vote. *Ordered*, That Mr. Bouldin inform the House of Delegates that the Senate are ready to proceed to the election of said officers in the mode indicated by that House.

The Senate then proceeded, pursuant to the Resolution agreed to on Wednesday last, by joint vote with the House of Delegates, to the election of a First and Second Auditor, Treasurer, Register of the Land Office and Secretary of the Commonwealth and Librarian for one year.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For James E. Heath as First Auditor—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Atkinson, Baptist, Bondurant, Custis, Conrad, Piper, Preston, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Langhorne, Scott, Taylor, Guerrant and Rogers—24.

For Archibald Atkinson as First Auditor—Messrs. Willey, Woolfolk, McMullen, McCauley, Newman and Thompson—6.

For James Brown, jr. as Second Auditor—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Bondurant, Custis, Woolfolk, Conrad, Piper, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—31.

For Fabius M. Lawson as Treasurer—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Atkinson, Baptist, Bondurant, Custis, Conrad, Piper, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers and McCauley—27.

For John Guerrant as Treasurer—Messrs. Willey, Woolfolk, Newman and Thompson—4.

For Stafford H. Parker as Register of Land Office—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Carson, Willey, Atkinson, Baptist, Conrad, Piper, Penn, Carter of C. C., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—23.

For Archibald Atkinson as Register of Land Office—Messrs. Cocke, Peyton, Bondurant, Custis, Preston and Carter of R.—6.

For Charles Hunton as Register of Land Office—Mr. Woolfolk—1.

For William H. Richardson as Secretary of Commonwealth and Librarian—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Bondurant, Custis, Woolfolk, Conrad, Piper, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—31.

Ordered, That a Committee be appointed to examine the votes, jointly with a committee from the House of Delegates; and Messrs. Willey, Campbell, Carter of C. C., Baptist and McMullen were accordingly appointed a committee for the purpose.

The committee withdrew, and some time after, returning into the chamber, Mr. Willey reported that the committee had, according to order, met a committee from the House of Delegates, and having jointly with them examined the votes, found a majority of votes in favor of James E. Heath for First Auditor; James Brown, Jr. for Second Auditor; Fabius M. Lawson for Treasurer; Stafford H. Parker for Register of the Land Office, and of William H. Richardson for Secretary of the Commonwealth and Librarian—who were thereupon declared by the Speaker duly elected to fill the offices aforesaid, for the period aforesaid.

Mr. Cox, from the committee to whom was committed the bill, "To authorise the opening of a new street near the lot of Thomas B. Bond in that part of the town of Petersburg called Gillfield," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The following message was received from the House of Delegates by Mr. Anderson:

Mr. Speaker,—The House of Delegates have agreed to a Resolution to postpone the further execution of the joint order of the day until Monday next: In which they request the concurrence of the Senate.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. McMullen inform the House of Delegates thereof.

On motion of Mr. Cocke,

The Senate then adjourned until to-morrow twelve o'clock.

MONDAY, MARCH 6, 1843.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Changing the time of accounting for the taxes on licenses to merchants and others," reported that the committee had, according to order taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. McMullen, ordered to be laid upon the table.

The following message was received from the House of Delegates by Mr. Crutehfield:

Mr. Speaker,—The House of Delegates have agreed to a Resolution instructing the State proxies in the James river and Kanawha company to procure a postponement of the election of president and directors of said company: In which they request the concurrence of the Senate.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. McMullen inform the House of Delegates thereof.

On motion of Mr. Boukkin,

Resolved, That 3200 copies of the tabular statement of the retrenchment committee, document No. 10, be printed for the use of, and distribution by the members of the Senate.

On motion of Mr. Boukkin,

Resolved, That 185 copies of the report of the committee on the Library, be printed for the use of the members of the General Assembly.

Mr. Conrad, from the committee appointed pursuant to the Resolution of the fourteenth of January last, made the following report, which, being read, on his motion, was ordered to be laid upon the table.

The Special Committee, appointed "To investigate the condition and affairs of the James river and Kanawha company, and particularly the proceedings and conduct of the present officers of said company in the management thereof—and further to inquire whether any part of the guaranty granted to said company by the Commonwealth has not been used by said company or demanded by its creditors, or whether the company has entered into any arrangements to use the said guaranty—and to report at as early a day as practicable the result of their investigation and inquiry," having performed the said duty, respectfully report,

That, a committee having been appointed about the same time, and under similar resolution, by the House of Delegates, it was considered proper, as a saving of time and labor, to pursue the investigation jointly, and each committee adopted a resolution to that effect.

In order to make such a report of the condition and affairs of the company, and the proceedings and conduct of its officers in the management thereof, as the importance of the subject and interests of the Commonwealth seemed to demand, the committees determined in the first place to inspect the principal works of the company, extending from Richmond to the western base of the Blue Ridge, and, having obtained leave from their respective Houses, they started from Richmond for this purpose on the 24th day of January, and on the evening of the 28th reached the western terminus of the improvement at the mouth of North river, in the county of Rockbridge. Returning more rapidly, they arrived in Richmond on the 31st, having examined as carefully as the time would allow, and aided by the explanations of the Engineer, Superintendents and President of the company, the location and construction of the canal, and more particularly all the works of art upon the line.

Upon their return, the committees examined the books and papers in the office of the company, with such evidence as was found there, or procured at their request by the President, calculated to throw light upon the various objects of their inquiry. The documents and tabular statements appended to this report, furnish a condensed view of the evidence before the committee, except the annual reports and the several acts of Assembly relating to the company.

These papers will be found to contain a great amount of rare and valuable information, well worth preservation among the records of the Legislature for future reference. A brief exposition of this evidence, with the observations of the committee, founded upon their personal inspection, will constitute such a report as they deem perti-

nent under the resolution; and in making this they will follow, generally, the order of the documents.

1. *Plan and dimensions of the Canal.*

By the 23d section of the act of incorporation, passed 16th March, 1832, the *minimum* dimensions of the canal were prescribed at 40 feet width at top, 28 feet at bottom, and 4 feet depth; and the company at its first organization, in May 1835, fixed the *general* dimensions at, surface breadth of 50 feet, bottom 30 feet, and depth 5 feet, authorising variations, for good cause, from these general dimensions: it was also decided that the locks should be at least 85 feet between the gates, and 15 feet wide.

In the construction of the canal, the President and Directors adhered to the minimum dimensions fixed by the Stockholders, except on the first level at Richmond, but deemed it advisable to increase the length of the locks to 100 feet, for the purpose of augmenting the capacity of boats. The adoption by the Stockholders of these enlarged dimensions appears to have been unanimous; they were recommended in the letter of Judge Wright to the Governor of the State in August 1831; were assumed as a basis of printed estimates and statements, advocating the improvement, at three sessions of the Assembly prior to the organization of the company; and the committee is satisfied that they were necessary and proper for a canal intended to connect the Eastern with the trans-Alleghany waters, in corroboration of which opinion they refer to the accompanying Documents marked A and B.

The general dimensions of the canal above given apply to that portion of the line between the first lock, about 3 miles above Richmond, and the town of Lynchburg. From the first lock to the head of the tide, and upon the second division above Lynchburg the plan of the work is necessarily modified on account of peculiarities applicable to those portions of the line.

Lower Level, at Richmond.

This was re-constructed upon its present scale of enlarged dimensions, with a view to the union of a great manufacturing power, with the accommodation due to a crowded trade at this termination. An exposition of the plan, dimensions, and value of this improvement, with the proceedings of the directory and stockholders in relation thereto, may be found in Doc. C. Nos. 1 and 2, and the difficulties attending its execution in the fourth annual report, pages 327 to 334. About the time this work was begun the plan was communicated to the stockholders in the second annual report, page 241, &c. and unanimously approved. Doc. C. No. 2.

Mixed System of Canal and Slack-water.

The charter authorises the occasional adoption of the bed of the river as part of the line of navigation, but in the location subsequently made, it was discovered that there were very few points on the first division favorable to a connection with the river, with a view to economy. Hence it is that only three connections with the river are to be found on the 120 miles between Maiden's Adventure dam and Lynchburg, and that the line of the canal is broken at only two of those points. This induced the act of the 16th March, 1841, authorising

the company to erect bridges across the river, at convenient points, for the accommodation of the south-side trade.

But the character of the stream, in the division above Lynchburg, was more adapted to the mixed system of navigation, and here it has been extensively and judiciously introduced. In the report of the Principal Engineer of the State upon this location, at the end of the year 1840, he admits that the great difficulties of this part of the work have been overcome by the liberal intermixture of slack-water navigation; and without essential injury to the character of the work. This modification has produced a saving in the cost of these 20 miles, of about \$750,000. See Doc. D.

Connection with Tide-water through the Richmond Dock.

The whole property of the Richmond Dock Company was sold at public auction on the 9th of July, 1841, and purchased by the James river and Kanawha company at the price of \$100,000, under authority of an act of Assembly passed on the 20th of March, 1841, reciting the purpose and advantages. Although now a detached work, it is designed to connect it with the lower level by a line of locks; bringing together the boats which pass through the mountains, and vessels navigating the ocean.

It is a suitable termination for this great line of improvement, and besides the incalculable advantages it will give to the trade, viewed as a mere investment of capital, the purchase was highly judicious. The repairs and changes deemed necessary upon the dock itself, had been determined on and let to contractors some time previous to the passage of the act of March 25th, 1842, which imposed considerable restrictions upon the powers of the company; and the stockholders, at the called meeting in May following, when they accepted the law, ordered the arrears of subscription to be applied to those contracts. In document E. will be found more full explanation on the subject of this document.

Location of the Canal.

The location of the canal appears to have been conducted with all the advantages to be derived from previous surveys, and with a degree of care and consideration proportioned to the magnitude and importance of the work. The definitive location of the whole line of 174 miles, between Richmond and the mouth of the North river, was completed in successive years as follows: For 73 of the 120 miles between Maiden's Adventure dam and Lynchburg, in the year 1835; for the remaining 47 miles between the same points, in 1836; for the 28 miles between Maiden's Adventure and Richmond, (being a re-location of the old State line,) in 1837; for 5 miles in the second division, above Lynchburg, in 1838; and for the remaining 22 miles of that division, in 1839.

The committee believe that the location is liable to no just objection; that the curvatures unavoidably resulted from the sinuosities of the river, and are developed, as far as practicable, so as to favor the efficacy of the tractile power; and that the line could not have been elevated without an increase of expense wholly inadmissible. Even the annual charge incident to a higher location, would have much exceeded the damage from such unfrequent disasters as the fresh of July

last, as will be seen in document O. For further explanations on this head, the committee refers to Doc. F.

New Works of the Company.

A summary view of the new works of the company, embracing a descriptive statement, is presented in Doc. G. By reference to these statements it will be seen that the works in the first division, from Richmond to Lynchburg, making a distance of 146½ miles, are finished and in operation; that those in the second division, making a distance of 27½ miles, are partly finished and in part unfinished, and are not in operation; and that the Richmond Dock is not completed, but is sufficiently advanced to be used by small craft. It is expected that in a few weeks it will be fit to receive the largest class of vessels that can ascend the river in its present state. A summary view under another aspect, of the extent of the work in the first division, is exhibited in the following statement, furnished from the records of the company.

Upon this division there are,	
Of excavation and embankment of earth	8,495,523 cubic yards,
Excavation of rock	461,685 “
Walling and rip-rap	213,715 “

And there are of works of art, 51 lift locks, having a total lift of 427 8-10 feet; 6 guard locks; 1 accommodation lock; 5 dams across the river; 3 dams across arms of the river; 12 aqueducts; 191 culverts, varying in span from 2 to 30 feet; 133 farm and road bridges; 3 towing path bridges; 9 waste-weirs; 1 guard gate; and 5 guage gates. As far as the committee could judge, from a cursory view, aided by a more particular examination at important points, the works of the company, throughout the whole line, appeared to be executed in a skilful, faithful and workman-like style. The masonry, of which it is seen above there is a vast extent and variety on the line, embraces some beautiful specimens of hydraulic construction, reflecting great credit upon the engineers and workmen. The masonry on the second division is superior to that upon the first, being in a style of greater simplicity and strength, and will, in the opinion of the committee, compare with any in the United States. A large portion of the hydraulic cement used in the masonry upon the second division, was furnished from manufactories at or near the mouth of North river, established under the patronage of the President and Directors, and deriving their supplies from quarries upon the line of the Improvement.

Cost of the Canal.

The system of the company has been to pay out of the income from its various works in operation, old and new, the cost of their repairs and maintenance, the annuity of \$21,000 to the stockholders of the old James river company, the interest on its permanent debt, half the salaries of the officers engaged in the general administration of its affairs, and a few other expenses of inconsiderable amount. The other expenditures of the company, from its organization to the 1st of December, 1842, have all been charged to the new works, and distributed among various portions of the line, to which they properly belonged, except the cost of the extensive western surveys, made by order of the stockholders in 1838 and , which are not properly charge-

able to the construction of the Eastern works. The cost of the first division of the canal, from Lynchburg to the foot of the basin at Richmond, a distance of 146 6-10 miles, ascertained according to the above system, was \$5,006,453 29, being about thirty-four thousand, one hundred and fifty dollars per mile. For more particular information on this head, see Doc's. H and I.

The committee have found nothing in the course of their inquiries to warrant the belief that the President and Directors have been wanting in economy, either in the construction or conduct of the work. On the contrary, their care in regard to assessments, explorations for stone and hydraulic lime, forms of contracts, mode of lettings, settlements of accounts, &c., furnishes such evidence of zeal, judgment and attention to details, as justifies the conclusion that the cost of the work was as low as was consistent with the plan. The cost of other canals, although by no means a certain, is yet some test of the economy of this; and it will be seen that the James river and Kanawha canal has been constructed at a less rate per mile than either of the two nearest great lines to the North of us, rivals for the same Western trade. The excess of the cost of those lines per mile, over the cost of this, is as follows: Of the main line of the Pennsylvania canal \$11,584; and of the Chesapeake and Ohio canal \$21,255. Doc's. J and K.

Another test of the economy of the work is a comparison of the cost with the original estimates. In 1831, Judge Wright, in a letter to Governor Floyd, recommending the construction of a canal along the present line, of the dimensions finally adopted, but with less masonry, estimated the cost at about \$20,000 per mile. The plan subsequently adopted, on more mature examination and advisement with him, comprised the more enlarged scale of masonry which now prevails on the line. Making due allowance for the difference in the masonry, and for the great increase of prices before the execution of the work, it will be found that his estimate was greater in proportion than the actual cost. On this subject see Doc's. L. and M.

Before dismissing the subject of the cost, it may be proper to advert to the economical effect of the low location of the canal which was adopted by the company. From the evidence contained or referred to in Doc's. N. and O., it is deduced that the increased cost of raising the Chesapeake and Ohio canal between dam No. 5 and Cumberland, a distance of 77½ miles, will amount to about \$17,306 per mile. Taking this as a standard of calculation for the effect of a similar elevation of the 146½ miles of the first division of the James river and Kanawha canal, it appears that the cost of the division would have exceeded the actual expenditure by the sum of \$2,537,059.

Management of the Canal.

A printed pamphlet has been laid before the committee, containing the "Regulations for the navigation and management of the James river and Kanawha canal," covering thirty-eight pages. This system the committee have not had time, nor did they deem it necessary, to examine minutely. It appears to be very comprehensive and minute; is said to embody the results of experience upon the northern lines; and as far as we can judge from its practical operations in producing regularity of movement, prompt repair of damages, and general satis-

saction, we are authorised in concluding, that it is a judicious and well considered system.

Books, Papers, and Accounts.

In exhibiting the books, papers, and accounts of the company to the committee, the President expressed a wish that every department of the office should be thoroughly investigated. The attention of the committee was mainly directed to the manner of keeping and balancing the books, the mode of settling and adjusting the accounts, the method of making payments and taking vouchers for the same, and the classification and arrangement of the books, papers, and documents belonging to the office. In all these particulars the committee found nothing to complain of. The President of the company exhibited as evidence a series of certificates from a standing committee of the stockholders, showing that the office had been very strictly examined periodically by said committee, and that said examination was entirely satisfactory. Copies of these certificates are appended, in Doc. Q.

Agency.

In regard to this subject the committee are not competent to form or express an opinion, for the utmost experience and familiarity with such a work is required to determine upon the necessary amount of agency. The care and economy evinced by the President and Directors in the annual reports and proceedings, and the high reputation of Judge Wright, the first Principal Engineer of the company, gives, in the opinion of the committee, sufficient assurance that no extravagance has existed in this respect. The salaries do not appear to the committee to have been fixed too high. Indeed those to the engineers are less than were paid upon works of so great magnitude in other parts of the country. The expense of agency is shown in the Don's, H. and I. before referred to.

Financial Operations—Issue of Post Notes.

In Doc. T. will be found the vindication of the policy of the company in issuing post notes, presented to the stockholders in the fifth annual report, shortly after the introduction of the system.

Negotiations of the Guaranteed Loan.

The President of the company laid before the committee the papers and correspondence relative to the negotiations of the loan authorised by the act of the 23d of March, 1839, with a request that they would investigate particularly,—1. The subject of the alleged countenance given by him to the employment of the funds of the Republic of Texas for the use of the James river and Kanawha company. 2. The extent of the just responsibility of the President and Directors for the commitment of the company's sterling bonds in Europe; and 3. The occurrences relative to the company's foreign debt which have taken place since the last session of the Legislature.

The negotiations of the guaranteed loan having been fully examined by the Legislature at its last session, with the aid of all the documents and correspondence appertaining thereto, up to that period, the committee have deemed it unnecessary to make that portion of the management of the President and Directors the subject of re-investigation at this time. The correspondence upon this subject, on file at the com-

pany's office, is voluminous; and would, in the view of the committee, swell unnecessarily the mass of documents attached to this report. For a summary view of the information communicated at the last session of the Assembly, reference may be had to Doc. U., Nos. 4, 2, 8, & 4. Most of the occurrences relative to the foreign debts of the company, since the last session of the Assembly, are presented in Doc. U., No. 5, leaving but a brief statement to be added by the committee.

Early in the month of May last, after a formal investigation of the claim of Dettermeyer, Westleigh & Son, of Amsterdam, for reimbursement from the James river and Kanawha company of the amount advanced by that house to General Hamilton in 1840, the Board concluded that they were bound to recognise the justice of this claim upon the company, and therefore resolved to pay, out of the proceeds of the State stock, the debt thus ascertained to be due, amounting, including interest to that time, to the sum of \$54,275. It appears, however, from Doc. U., No. 5, that this claim has not yet been paid, owing, as the committee believe, to the depreciation of our State stocks below the limit fixed by the Board of Public Works.

Shortly after this resolution, General Hamilton appeared before the President and Directors, made an explanation of his late agency, and stated that he was then on his way to Europe, on his own account, with the object of endeavoring to effect a satisfactory adjustment of the Holland claim, so as to release the company and their hypothecated assets. The Board renewed his agency in order to close their unfinished business in Europe. He returned in the month of October without having succeeded in the object of his visit. The committee regret to say, they can find no justification for this act of the President and Directors.

The state of the guaranteed loan of the 1st March, 1848, will be seen by reference to Doc. V. No. 1, from which it appears that the residue of the whole amount guaranteed is not equal in amount by nearly \$8,000 to the amount of the company's post notes outstanding at the same date. Adverting to Doc. V. No. 2, it is shown that this residue of the guaranteed loan was, as early as the 8th of November, 1839, specifically pledged by the Board to the redemption of the post notes; and in consequence of the withdrawal of the guaranty, by the act of March, 1842, upon a portion of those bonds, the amount is now insufficient to redeem that pledge.

It appears that some loss occurred in 1840, in consequence of the construction of some of the locks and other work in an unsatisfactory manner, rendering it necessary to re-construct them. The subject was brought before the Stockholders in the 6th annual report, and they did not, as the committee do not now, regard it as any ground of censure upon the President and Directors. See Doc. W.

Opening of the Works above Lynchburg, and their present unfinished state.

By the 45th section of the charter, the line of proposed canal was divided into what may be denominated revenue sections; the first extending from Richmond to Lynchburg; the second from Lynchburg

to the mouth of North river; the third from the mouth of North river to Buchanan; and the residue of the sections above Buchanan, having a length of not less than 10 miles, following in successive order from that place to Covington. Upon the completion of these sections respectively, in the order proscribed, the right to lay tolls thereon was to take effect.

By the plan of works adopted by the Stockholders at the organization of the company in May, 1835, the line of canal was divided with a view to its construction, into three grand divisions—the first extending from Richmond to Lynchburg; the second from Lynchburg to Buchanan; and the third from Buchanan to Covington; which grand divisions were to be executed in successive order, commencing in the East. But at the first annual meeting of the stockholders, in December, 1835, this order of execution was amended so as to authorize the Directors to break ground to any extent they might think necessary and proper in each of the upper divisions, before the completion of the division next below respectively. In extending the line of new works under this authority, with a view to preserve a continuous and judicious march of the work, it appears to have been the object of the President and Directors to cover not less ground than one reversed section, so as to reach as soon as possible the right of levying the new tolls.

The act of 23d March, 1839, required the execution of the work to progress in continuous sections, each to be completed before the next was commenced. What sections were intended, does not clearly appear: if the sections mentioned in the act of incorporation, then the propriety of opening the works above Lynchburg before the work was completed to that point, may be doubted. If, however, the means at hand were probably sufficient to complete the line to Lynchburg, and with the aid afforded by the act of March, 1839, there was no reason to doubt the ability of the company to complete the work to the mouth of North river, the departure from the letter of the act may be excused, by the commendable wish to extend the improvement to the Valley, as some attempts were being made to arrest its progress at Lynchburg. At a special meeting of the stockholders in May, 1839, the President stated, in his communication to them, that the addition made to the means of the company by the act of March 23d, would probably enable it to extend the line to the aggregate distance of 200 miles into the interior.

The proceedings in the House of Delegates in December, 1839, upon Mr. Toler's motion to arrest, for the time, the work at Lynchburg, also furnish some justification for this course. It is to be regretted that the work has been opened upon this division, as the effect is to make the transportation through the Blue Ridge more difficult than before the breaking up of the old Blue Ridge canal, and as there is no ground for the hope that these works can be resumed for some years. Detailed information on this subject, will be found in Doc. X. In the series of documents furnished to the committee, are the papers, Nos. 1 and 2, on the subject of the western improvements. Doc. Z, exhibits the receipts and disbursements from the organization.

ROE. Y. CONRAD.

On motion of Mr. Conrad,

Ordered, That 185 copies of the said report be printed for the use of the members of the General Assembly.

The Senate proceeded, pursuant to the Resolution for postponement, agreed to on Saturday last, by joint vote with the House of Delegates, to the election of a Storekeeper and General Agent of the Penitentiary Institution for one year.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For Basil Brawner—Mr. Hunton (Speaker)—1.

For James C. Spotts—Messrs. Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Sloan, Shinn, McMullen, Scott, Taylor, Guerant, McCauley and Thompson—14.

For John Wight—Messrs. Campbell, Thornton, Cocks, Payson, Bondurant, Conrad, Preston, Carter of C. C., Carter of R. and Rodgers—10.

For James G. Watson—Messrs. Carson, Moffett and Newman—3.

For William Goode—Mr. Cox—1.

For Zachariah R. Hall—Mr. Woolfolk—1.

Ordered, That a committee be appointed to examine the votes, jointly with a committee from the House of Delegates; and Messrs. Cocks, Taylor, Carter of C. C., McMullen and Sloan were accordingly appointed a committee for the purpose.

The committee withdrew; and, sometime after, returning into the chamber, Mr. Cocks reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The Senate, again, proceeded, pursuant to the said Resolution, in like manner, to the election of a Storekeeper and General Agent of the Penitentiary Institution.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For James C. Spotts—Messrs. Hunton (Speaker), Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerant, McCauley, Newman and Thompson—18.

For John Wight—Messrs. Campbell, Thornton, Cocks, Payson, Bondurant, Goode, Conrad, Preston, Carter of C. C., Carter of R. and Rodgers—11.

For Zachariah Hall—Mr. Cox—1.

For Basil Brawner—Mr. Woolfolk—1.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and, some time after, returning into the chamber, Mr. Cocks reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The Senate, again, proceeded, pursuant to the said Resolution, in like manner, to the election of a Storekeeper and General Agent of the Penitentiary Institution.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For James C. Spotts—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—20.

For John Wight—Messrs. Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Conrad, Preston, Carter of C. C., Carter of R. and Rogers—11.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and some time after, returning into the chamber, Mr. Cocke reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found that there was not a majority of votes given for any one person.

No person having received a majority of the whole number of votes, the Speaker declared that there was no election.

The Senate, again, proceeded, pursuant to the said Resolution, in like manner, to the election of a Storekeeper and General Agent of the Penitentiary Institution.

The Clerk called the roll, whereupon it appeared that the members present voted as follows:

For James C. Spotts—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Bouldin, Penn, Moffett, Sloan, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—20.

For John Wight—Messrs. Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Conrad, Preston, Carter of C. C., Carter of R. and Rogers—11.

Ordered, That the same committee examine the votes, jointly with a committee from the House of Delegates.

The committee withdrew, and some time after, returning into the chamber, Mr. Cocke reported that the committee had, according to order, met a committee from the House of Delegates, and having jointly with them examined the votes, found a majority of votes in favor of James C. Spotts—who was thereupon declared by the Speaker duly elected Storekeeper and General Agent of the Penitentiary Institution for the period aforesaid.

The Senate then proceeded, pursuant to the Resolution for postponement, agreed to on Saturday last, to the election of a Superintendent of the Penitentiary Institution, for one year.

The Clerk called the roll, whereupon it appeared that there was an unanimous vote of the members present in favor of Charles S. Morgan, to-wit:

For Charles S. Morgan—Messrs. Hanton (Speaker,) Thornton, Cooke, Peyton, Carson, Willey, Atkinson, Baptist, Bondurant, Gastis, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—25.

Ordered, That a committee be appointed to examine the votes, jointly with a committee from the House of Delegates; and Messrs. Guerrant, Bondurant, Carter of R., Newman and McCauley were accordingly appointed a committee for the purpose.

The committee withdrew, and some time after, returning into the chamber, Mr. Guerrant reported that the committee had, according to order, met a committee from the House of Delegates, and, having jointly with them examined the votes, found a majority of votes in favor of Charles S. Morgan, who was thereupon declared by the Speaker duly elected Superintendent of the Penitentiary Institution for the period aforesaid.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Restricting the Banks in the issue of small notes," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

On his motion,

Ordered, That the said bill and amendment be laid upon the table.

Mr. Woolfolk, from the committee to whom was committed the bill, "For arranging the counties of this Commonwealth into districts to choose Representatives to Congress," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

On his motion,

Ordered, That the said bill and amendments be laid upon the table.

On his motion,

Ordered, That 185 copies of the said amendments, be printed for the use of the members of the General Assembly.

On motion of Mr. Preston,

Resolved, That the said bill be made the order of the day for to-morrow.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o'clock.

TUESDAY, MARCH 7, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 6, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act, concerning jailors' fees," No. 106; "An act, changing the time of holding the Circuit Superior Court, and the fall quarterly term of the county of Charlotte," No. 178; and "An act, concerning the bonds of Public Officers, and others, No. 195.

Mr. Peyton, from the Committee of Courts of Justice, to whom was committed the bill, "Concerning deeds and other title papers recorded in the former superior courts of law," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was accordingly, read the third time.

Mr. Peyton then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Concerning the issuing of writs of *alias* or *pluries capias*," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Bouldin,

Ordered, That the said bill be laid upon the table.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Concerning the duties of executors, administrators and curators," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Divorcing Elizabeth C. Hutchings from her husband David W. Hutchings," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Atkinson,

Ordered, That the said bill be laid upon the table.

Mr. Peyton, also, from the same committee to whom was committed the bill, "For the relief of securities in forthcoming bonds in cases of injunction," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Atkinson,

Ordered, That the said bill be laid upon the table.

On motion of Mr. Bouldin,

The order of the day for the consideration of the bill, "For arranging the counties of this Commonwealth into districts to choose Representatives to Congress," was taken up.

The amendments reported by the committee were read as follows:

2d District, after the word "Dinwiddie," insert "Lunenburg."

4th District, strike out "Lunenburg and Fluvanna," and insert "Bedford."

5th District, strike out "Bedford," and insert "Fluvanna and Louisa."

6th District, strike out "Lousia."

7th District, strike out "Northumberland and Lancaster," and insert "King and Queen and Middlesex."

8th District, strike out "King and Queen and Middleton," and insert "Northumberland and Lancaster."

12th District, strike out "Logan," and insert "Randolph."

14th District, strike out "Wood," and insert "Logan."

15th District, strike out "Randolph," and insert "Wood and Ritchie."

Mr. Conrad moved that the question of agreement be put on all of the said amendments at one time.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 16. Noes 14.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Conrad, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Carson, Baptist, Bondurant, Custis, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., Rogers, Newman and Thompson—16.

Noes—Messrs. Hunton (Speaker,) Cox, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant and McCauley—14.

Mr. Cox moved to amend the first amendment reported by the committee, by striking out the word "Lunenburg."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 14. Noes 16.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Cox, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Bouldin, Penn, Carter of C. C., Sloan, Scott, Taylor, Guerrant and McCauley—14.

Noes—Messrs. Campbell, Cocke, Peyton, Baptist, Bondurant, Custis, Woolfolk, Conrad, Piper, Preston, Carter of R., Moffett, McMullen, Rogers and Newman—16.

Mr. Conrad moved to amend the said amendments by striking out "Page," and inserting "Hardy," in the 10th District, and by striking out "Hardy," and inserting "Page," in the 11th District.

The Speaker decided the said motion to be in order.

Mr. Thornton appealed from the decision of the Chair.

And, on the question put thereupon, the decision of the Chair was over-ruled by the Senate.

Mr. Thornton moved to amend the said amendments by striking out the 5th and 6th.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 17. Noes 13.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Preston, Bouldin, Penn, Moffett, Sloan, Scott, Taylor, Guerrant and McCauley—17.

Noes—Messrs. Campbell, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Carter of C. C., Carter of R., McMullen, Rogers, Newman and Thompson—13.

On motion of Mr. Moffett,

Resolved, That the 4th rule of the Senate be suspended, for the purpose of reconsidering the vote upon the amendment offered to the said amendments by Mr. Cox, and disagreed to by the Senate.

The Senate proceeded, accordingly, to reconsider the said proposed amendment.

And, on the question put thereupon, it was again disagreed to, by an equal division of the Senate. Ayes 15. Noes 15.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Cox, were as follow:

Ayes—Messrs. Hutton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffett, Sloan, Scott, Taylor, Guerrant and McCauley—15.

Noes—Messrs. Campbell, Cocke, Peyton, Baptist, Bondurant, Custis, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., McMullen, Rogers, Newman and Thompson—15.

Mr. Bouldin moved to amend the said amendments by striking out the word "Bedford," in the second amendment.

And, on the question put thereupon, it was disagreed to, by an equal division of the Senate. Ayes 15. Noes 15.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Bondurant, were as follow:

Ayes—Messrs. Hutton (Speaker,) Cox, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Scott, Taylor, Guerrant and McCauley—15.

Noes—Messrs. Campbell, Thornton, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., McMullen, Rogers, Newman and Thompson—15.

Mr. Cox moved to amend the said amendments by striking out the 4th amendment.

And, on the question put thereupon, it was disagreed to by the Senate.

Mr. McCauley moved to amend the said amendments by striking from the 7th amendment the word "Randolph."

And, on the question put thereupon, it was disagreed to by the Senate.

Mr. Willey moved to amend the said amendments by striking out the word "Wood," in the 9th amendment.

And, on the question put thereupon, it was disagreed to by the Senate.

Mr. McMullen moved to amend the said amendments by striking out the word "Randolph," in the seventh amendment, and inserting in lieu thereof the word "Carroll."

And, on the question put thereupon, it was disagreed to by the Senate.

And, on the question being then put upon the amendments, as amended, they were disagreed to by the Senate. Ayes 13. Noes 17.

The ayes and noes, on that question, being required by Mr. Taylor, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Campbell, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., Rogers, Newman and Thompson—13.

Noes—Messrs. Hunton (Speaker,) Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant and McCauley—17.

Mr. Cox offered an amendment to the said bill.

Mr. McMullen then moved that the Senate do now adjourn until to-morrow twelve o'clock.

And, on the question put thereupon, it was disagreed to by the Senate. **Ayes** 7. **Noes** 23.

The ayes and noes, on that question, being required by Mr. Conrad, seconded by Mr. Bondurant, were as follow:

Ayes—Messrs. Campbell, Peyton, Woolfolk, Piper, Moffett, Sloan and McMullen—7.

Noes—Messrs. Hunton (Speaker,) Cox, Thornton, Cocke, Carson, Willey, Atkinson, Baptist, Bondurant, Custis, Conrad, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—23.

Mr. Thornton moved that the main question be now put.

And, on the question put thereupon, it was agreed to by the Senate. **Ayes** 17. **Noes** 13.

The ayes and noes, on that question, being required by Mr. Cox, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Willey, Baptist, Bondurant, Custis, Conrad, Preston, Penn, Carter of C. C., Carter of R., Sloan, Scott, Rogers and McCauley—17.

Noes—Messrs. Hunton (Speaker,) Cox, Carson, Atkinson, Woolfolk, Piper, Bouldin, Moffett, McMullen, Taylor, Guerrant, Newman and Thompson—13.

And, on the question being then put upon the said bill, it was passed by the Senate. **Ayes** 16. **Noes** 14.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Cox, Thornton, Carson, Willey, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Scott, Taylor, Guerrant, McCauley and Thompson—16.

Noes—Messrs. Hunton (Speaker,) Campbell, Cocke, Peyton, Bondurant, Custis, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., McMullen, Rogers and Newman—14.

Ordered, That Mr. Atkinson inform the House of Delegates of the passage of the said bill.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.

1843. WEDNESDAY, MARCH 8, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 7, 1843.

The House of Delegates have passed bills, entitled: "An act, prescribing the mode of ascertaining certain subjects of taxation," No. 184; "An act, to ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers and regulating the collection thereof," No. 163; and "An act, to change the time of holding the spring term of the circuit superior court of law and chancery for the county of Southampton," No. 234: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Prescribing the mode of ascertaining certain subjects of taxation," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "To ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers and regulating the collection thereof," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "To change the time of holding the spring term of the circuit superior court of law and chancery for the county of Southampton," on motion, was also, read the second time, and ordered to be committed to Messrs. Atkinson, Scott and Cox.

Mr. Carter of C. C., from the committee to whom was committed the bill, "To regulate certain fees for culling lumber in the city of Richmond," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Cox, was also, amended; by inserting after the word "culling," the words "and inspecting."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Cox, from the committee to whom was re-committed the bill, "Concerning the Branch coal mining company," reported that the committee had, according to order, again taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time.

Mr. McMullen then moved further to amend the said bill, by inserting the following:

“Provided, however, That if the corporate funds of the said corporation shall be exhausted, leaving debts due by the corporation unpaid, the members of the said corporation shall be liable in their private estates respectively for the debts of said company, in the proportion which the stock owned or held by each stockholder to the whole capital stock of the corporation and the debts of said company then due and unpaid.”

And, on the question being put upon the said proposed amendment, it was disagreed to, by an equal division of the Senate. Ayes 13. Noes 13.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Peyton, were as follow:

Ayes—Messrs. Hunton (Speaker,) Carson, Willey, Piper, Bouldin, Penn, Moffett, Shinn, McMullen, Scott, Taylor, Guerrant and McCauley—13.

Noes—Messrs. Cox, Campbell, Thornton, Cocks, Peyton, Bondurant, Woolfolk, Conrad, Preston, Carter of C. C., Carter of R., Sloan and Rogers—13.

And, on the question being then put upon the said bill, as amended, it was passed by the Senate. Ayes 14. Noes 13.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cocks, Peyton, Bondurant, Woolfolk, Conrad, Piper, Preston, Carter of C. C., Carter of R., Sloan and Rogers—14.

Noes—Messrs. Hunton (Speaker,) Carson, Willey, Bouldin, Penn, Moffett, Shinn, McMullen, Scott, Taylor, Guerrant, McCauley and Newman—13.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendment.

The bill, “Amending the acts passed the 17th of February, 1837, and the 17th of March, 1840—41, concerning divorces,” which, on the 16th ultimo, was ordered to be laid upon the table, on motion of Mr. Bouldin, was taken up.

The amendment heretofore offered by Mr. Bouldin to the said bill, on his motion, was withdrawn, with the consent of the Senate.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Bondurant, from the committee to whom was re-committed the bill, “Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks’ office,” reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill. — On his motion,

Ordered, That the said bill and amendments be laid upon the table.

This bill, “Concerning the duties of executors, administrators and curators,” on motion of Mr. Bouldin, was taken up.

The said bill, on motion of Mr. Bouldin, was amended, and, as amended, ordered to be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Atkinson, from the committee of General Laws, to whom was re-committed the bill, "To amend the act, entitled, an act, reducing into one the several acts, prescribing the mode of ascertaining the taxable property within the Commonwealth and collecting the public revenue," reported that the committee had, according to order, again taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

And, on the question being then put upon the said bill, as amended, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Cocke, from the committee to whom was committed the bill, "Authorising a payment to Christopher C. Dillard, from the school quota of Nelson county for 1843," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "To authorise the reconstruction of the turnpike road from the Sweet Springs to the White Sulphur Springs," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Preston, ordered to be laid upon the table.

The bill, "Concerning Thomas B. Taylor," on motion of Mr. Atkinson, was taken up.

Mr. Carter of R., moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.
Ayes 19. Noes 4.

The ayes and noes, on that question, being required by Mr. Thornton, seconded by Mr. Carter of R., were as follow:

Ayes—Messrs. Campbell, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Conrad, Preston, Penn, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Scott, Guerrant, Rogers and McCauley—19.

Noes—Messrs. Hunton (Speaker,) Thornton, Woolfolk and Newman—4.

Ordered, That the Clerk inform the House of Delegates of the indefinite postponement of the said bill.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o'clock.

THURSDAY, MARCH 9, 1843.

Mr. Atkinson, from the committee to whom was committed the bill, "To change the time of holding the Spring term of the Circuit Superior Court of law and chancery for the county of Southampton," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk forthwith inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "To revive and extend the act passed in 1829, authorising the raising by way of lottery, a sum of money for improving the Fauquier and Alexandria turnpike," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

Mr. Cocke, also, from the same committee to whom was committed the bill, "Providing for the construction of slopes or sluices in dams across Cedar creek, the division line between the counties of Frederick and Shenandoah," reported that the committee had, according to order taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Conrad then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, also, from the same committee to whom was committed the bill, "Providing for the appointment of a Superintendent of the Prices' turnpike and Cumberland Gap road, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To authorise the re-construction of the turnpike road from the Sweet Springs to the White Sulphur Springs," on motion of Mr. Preston, was taken up.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Concerning the issuing of writs of alias or pluries capias," on motion of Mr. Peyton, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Peyton then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Concerning the weighing of live stock brought to the City of Richmond," which, on the 8th ultimo, was ordered to be laid upon the table, on motion of Mr. Preston, was taken up.

The 1st, 2d and 3d amendments proposed by the House of Delegates to the Senate's amendment to the said bill, on the questions put thereupon, were agreed to by the Senate.

The 4th amendment, on the question put thereupon, was disagreed to by the Senate.

The 6th amendment, on motion of Mr. Preston, was amended, and, as amended, on the question put thereupon, agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the Senate's amendment to their 6th amendment.

Mr. Carter, from the committee of Claims, to whom was committed the bill, "Releasing the militia of Wayne county from the payment of fines on them in 1842, for failing to attend the training and regimental muster in Cabell county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "For the relief of securities in forthcoming bonds, in cases of injunction," on motion of Mr. Peyton, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The Speaker then signed the following enrolled bills:—

An act, fixing the period when the Gubernatorial term of office shall commence.

An act, authorising the Treasurer to make a temporary loan on behalf of the Commonwealth.

An act, to authorise a separate election at Keysville in the county of Charlotte.

An act, changing the times of holding the courts of Carroll county.

An act, to increase the reward for killing wolves in the county of Madison.

An act, to ascertain the school quotas of James City, York and Williamsburg.

An act, incorporating Kinsale academy in the county of Nansemond.

An act, to authorise two separate elections in the county of Nicholas and one in each of the counties of Giles and Monongalia; to change the place of one, and the name of the Village at the seat of justice for the county of Carroll.

An act, changing the time of holding the Circuit Superior Court of Ohio county.

An act, fixing the school quotas of Grayson and Carroll counties.

An act, annexing to the county of Alleghany a part of the county of Monroe.

An act, to revive the act, entitled, an act, authorising a ferry from the lands of John Brown in the county of Mason across the Ohio river.

An act, changing the time of holding the Fall term of the county court of York county.

An act, releasing to Thomas Brosnahan the Commonwealth's right to a lot of land therein mentioned.

- An act, changing the time of holding the first quarterly term of the Hustings court of the town of Petersburg.
- An act, incorporating the Norfolk Seamen's Friend Society.
- An act, authorising the officers of Patrick Henry Lodge of Independent order of Odd Fellows to hold a certain building therein mentioned.
- An act, incorporating the Farmers & Mechanics Institution of the town of Lynchburg.
- An act, constituting a portion of Meherrin river a lawful fence.
- An act, changing the time of holding the quarterly terms of the county court of Wayne.
- An act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes.
- An act, to provide for the payment of the interest upon certain bonds guaranteed by the Commonwealth, and the semi-annual annuity due to the Old James river company.
- An act, authorising additional trustees to the North Western Virginia academy.
- An act, extending the provisions of the act authorising the banks to issue small notes.
- An act, divorcing Jacob Kernes from his wife Mahala.
- An act, amending the act, entitled, an act, to provide for the attendance of witnesses before the Senate and House of Delegates, and for other purposes.
- An act, attaching the county of Carroll to the tenth judicial circuit.
- An act, changing the time of holding the Hustings court of the town of Danville.
- An act, prescribing the punishment of slaves, free negroes and mulattoes for poisoning or attempting to poison.
- An act, to incorporate the trustees of Littleton academy in the county of Sussex.
- An act, authorising the formation of a company of cavalry in the counties of Campbell, Halifax and Charlotte.
- An act, to provide furniture for the Governor's house, and for other purposes.
- An act, to authorise a separate election in each of the counties of Hampshire and Rockingham, and to change the place of holding one in the county of Rockingham.
- An act, concerning sales of property under executions or other legal process in the town of Lynchburg.
- An act, releasing to Jeremiah Kyle the Commonwealth's right to certain lands therein mentioned.
- An act, to change the name of the town of Middletown in the county of Marion to that of Fairmont.
- An act, incorporating the Jefferson Society in the town of Charlottesville.
- An act, concerning the laws in relation to gaming.
- An act, concerning the Glebe fund of the South Farnham parish in the county of Essex.
- An act, concerning general meetings of the New Shenandoah company.
- An act, authorising the exchange of cannon with the Norfolk Light Artillery Blues.
- An act, concerning the Glebe and other lands of Bruton parish.
- An act, for the relief of Peter M. Meriwether and Joseph C. Wilson.
- An act, to authorise three separate elections in the county of Norfolk, and one in the county of Marshall.
- An act, in relation to a company of cavalry in the county of Franklin.—And,
- An act, to amend the act, entitled, an act, to incorporate the town of Danville in the county of Pittsylvania.—46.

Ordered, That the Clerk inform the House of Delegates thereof, and return the said bills to that House.

Mr. Cox, from the committee to whom was committed the bill, "to incorporate the Powell's Hotel company in the town of Petersburg," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on motion of Mr. Conrad, the bill and amendment, were ordered to be laid upon the table.

On motion of Mr. Carter of R.,

The Senate then adjourned until to-morrow twelve o'clock.

FRIDAY, MARCH 10, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 9, 1843.

The House of Delegates have passed bills, entitled, "An act, prescribing the mode of ascertaining the tax on collateral inheritances, and for other purposes," No. 183; and "An act, incorporating the Hecla manufacturing company, in the town of Fredericksburg," No. 197: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Prescribing the mode of ascertaining the tax on collateral inheritances, and for other purposes," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Incorporating the Hecla manufacturing company, in the town of Fredericksburg," on motion, was also, read the second time, and ordered to be committed to Messrs. Thornton, Carter of R. and Taylor.

The bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks' office, on motion of Mr. Bondurant, was taken up.

The amendments reported by the committee to the amendment heretofore offered by Mr. Bondurant to the said bill, on the questions put thereupon, were agreed to by the Senate.

The said bill, on motions of Mr. Preston, was further amended.

On motion of Mr. McMullen,

Ordered, That the said bill and amendments be laid upon the table.

On motion of Mr. Scott,

Ordered, That the said bill be made the order of the day for Tuesday next.

On motion of Mr. Woolfolk,

Ordered, That 185 copies of the said amendment, as amended, be printed for the use of the members of the General Assembly.

On motion of Mr. Atkinson,

The bill, "Changing the time of accounting for the taxes on licenses to merchants and others," was taken up.

Mr. McMullen moved to amend the said bill by inserting the following section:

"Be it further enacted, That nothing in this act shall be so construed as to apply to the sheriffs of the counties situated west of the Alleghany mountains."

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 3. Noes 21.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. McMullen, were as follows:

Ayes--Messrs. Piper, McMullen and Thompson--3.

Noes--Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Atkinson, Bondurant, Woolfolk, Conrad, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Scott, Taylor, Guerrant and Rogers--21.

The said bill, on motion of Mr. Atkinson, was amended by striking out the words, "twentieth day of June," and inserting in lieu thereof the words, "first day of July."

Mr. Conrad moved further to amend the said bill, by inserting the following section:

"Be it further enacted, That the 41st section of the act passed March 3d, 1840, entitled, 'An act, amending and reducing into one act, the several acts and parts of acts concerning the taxes on licenses to keepers of ordinaries and houses of private entertainment, to merchants, to vendue masters, to brokers, to hawkers and pedlars, to exhibitors of public shows, on law process, on notarial seals, and certain other subjects,' be, and the same is hereby repealed."

Mr. Atkinson then moved to amend the said amendment by inserting in lieu thereof the following proviso:

"Provided, however, That nothing in this act contained shall be construed to repeal, or to change in any manner, the 41st section of the act passed the 3d March, 1840, entitled, 'An act, amending and reducing into one act the several acts and parts of acts concerning the taxes on licenses to keepers of ordinaries and houses of private entertainment, to merchants, to vendue masters, to brokers, to vendors of lottery tickets, to hawkers and pedlars, to exhibitors of public shows, on law process, on notarial seals, and certain other subjects.'"

And, on the question put thereupon, it was agreed to by the Senate. Ayes 16. Noes 7.

The ayes and noes, on that question, being required by Mr. Conrad, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Cocke, Peyton, Atkinson, Bondurant, Woolfolk, Piper, Preston, Bouldin, Penn, Moffett, McMullen, Guerrant and Thompson—16.

Noes—Messrs. Thornton, Conrad, Carter of C. C., Carter of R., Sloan, Taylor and Rogers—7.

And, on the question being then put upon the said bill, as amended, it was passed by the Senate. Ayes 19. Noes 4.

The ayes and noes, on that question, being required by Mr. Rogers, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cocke, Peyton, Atkinson, Bondurant, Woolfolk, Conrad, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Taylor, Guerrant and Thompson—19.

Noes—Messrs. Hunton (Speaker,) Piper, McMullen and Rogers—4.

On motion of Mr. Bouldin,
Ordered, That the Clerk forthwith inform the House of Delegates of the passage of said bill, and request their concurrence in the amendments.

On motion of Mr. Atkinson,
The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, MARCH 11, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 10, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, to change the time of holding the spring term of the circuit superior court of law and chancery for the county of Southampton," No. 224.

And, have passed a bill, entitled, "An act, authorising a payment to Nicholas Dillard by the school commissioners of Pittsylvania from the quota of 1843," No. 160: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to Messrs. Penn, Campbell and Baptist.

The following message was received from the House of Delegates by Mr. Hubbard:

Mr. Speaker,—The House of Delegates have disagreed to the Senate's amendments to the bill, entitled, "An act, changing the time of accounting for the taxes on licenses to merchants and others.

The Senate proceeded to reconsider their said amendments.

Mr. McMullen moved that the further consideration of the said bill and amendments be postponed indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate, Ayes 4. Noes 19.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Hunton (Speaker,) Willey, McMullen & Rogers—4.

Noes—Messrs. Campbell, Cocke, Peyton, Carson, Atkinson, Baptist, Bondurant, Conrad, Piper, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, Taylor, Guerrant and McCauley—19.

Mr. Bouldin then moved to recede from the 1st amendment, which was as follows:

"In the 4th section, 2d line, strike out the words "twentieth day of June," and in lieu thereof insert the words "first day of July."

And, on the question put thereupon, it was agreed to by the Senate. Ayes 16. Noes 7.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Shinn, were as follow:

Ayes—Messrs. Campbell, Peyton, Carson, Atkinson, Baptist, Bondurant, Conrad, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Shinn, Taylor and Guerrant—16.

Noes—Messrs. Hunton (Speaker,) Cocke, Willey, Piper, McMullen, Rogers and McCauley—7.

The 2d amendment, on motion of Mr. Atkinson, was receded from by the Senate.

Ordered, That the Clerk inform the House of Delegates that the Senate recede from their said amendments.

On motion of Mr. Penny,

Ordered, That the several special committees to which bills now are, or may hereafter be committed, have leave to sit during the session of the Senate for the remainder of the session.

Mr. Bouldin, from the committee to whom was committed the bill, "Authorising the sale and conveyance of a house and lot at Charlotte Court-house of which Martin Hart died seized and possessed," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Penny, from the committee to whom was committed the bill, "Authorising a payment to Nicholas Dillard by the school commissioners of Pittsylvania from the quota of 1843," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Guerrant, was amended, and, as amended, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Guerrant, was also, amended, by adding to the end thereof the words "and concerning the school commissioners of Fluvanna county."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

The bill, "Divorcing Elizabeth C. Hutchings, from her husband David W. Hutchings," which, on Tuesday last, was reported, and ordered to be laid upon the table, on motion of Mr. Peyton was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Bouldin,

The Senate then adjourned until Monday next twelve o'clock.



MONDAY, MARCH 13, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 11, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act, concerning the Branch coal mining company," No. 44; "An act, to regulate certain fees for cutting lumber in the City of Richmond," No. 144; and, "An act, concerning the duties of executors, administrators and curators," No. 145.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Prescribing the mode of ascertaining the tax on

collateral inheritances, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Atkinson then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That Mr. Atkinson inform the House of Delegates thereof.

Mr. Atkinson, also, from the same committee to whom was committed the bill, "To ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers and regulating the collection thereof," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment being read, was, with the bill, on motion of Mr. Preston, ordered to be laid upon the table.

On motion of Mr. Preston,

Ordered, That 185 copies of the said amendment be printed for the use of the members of the General Assembly.

The bill, "Restricting the Banks in the issue of small notes," which, on Monday last, was reported with an amendment and ordered to be laid upon the table, on motion of Mr. Preston, was taken up.

Mr. Preston offered an amendment to the said bill, in lieu of the amendment reported by the committee; and, on his motion, the bill and proposed amendments were ordered to be laid upon the table.

On motion of Mr. Preston,

Ordered, That 185 copies of his said proposed amendment be printed for the use of the members of the General Assembly.

Mr. McMullen offered the following Resolution, which, on motion of Mr. Conrad, was ordered to be laid upon the table:

Resolved, That the proxies of, and directors on the part of the Commonwealth, in every rail road and turnpike company, are hereby instructed to vote for a reduction of the salaries or other compensation of all officers and agents in said companies, and that they take as a guide, as near as may be, the scale of reduction reported by the Committee of Retrenchment at the present session.

On motion of Mr. Shinn,

The Senate then adjourned until to-morrow twelve o'clock.

TUESDAY, MARCH 14, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 13, 1843.

The House of Delegates agreed to the amendments proposed by the Senate to the bills, entitled, "An act, to amend the act, entitled, an act, reducing into one the several acts, prescribing the mode of ascertaining the taxable property within the Commonwealth and collecting the public revenue," Nov 90th and, "An act, extending the conditions

and restrictions imposed on country merchants retailing ardent spirits to merchants retailing the same within incorporated towns," No. 91, with amendments thereto: In which they request the concurrence of the Senate.

And have passed bills, entitled, "An act, to prevent free negroes and mulattoes from selling grain and other articles without a certificate of ownership," No. 119; and "An act, changing the location of part of the White and Salt Sulphur Springs turnpike road passing through the town of Union, in the county of Monroe," No. 241: In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "To prevent free negroes and mulattoes from selling grain and other articles without a certificate of ownership," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Changing the location of part of the White and Salt Sulphur Springs turnpike road passing through the town of Union, in the county of Monroe," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The amendment proposed by the House of Delegates to the Senate's amendment to the bill, entitled, "An act, extending the conditions and restrictions imposed on country merchants retailing ardent spirits to merchants retailing the same within incorporated towns," being delivered in and twice read, on the question put thereupon, was disagreed to by the Senate: Ayes 8. Noes 19.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Carter of C. C., were as follow:

Ayes—Messrs. Cocke, Peyton, Bondurant, Conrad, Preston, Carter of D. C., Carter of R. and Rogers—8.

Noes—Messrs. Hunter (Speaker), Cox, Campbell, Carson, Willey, Atkinson, Piper, Bouldin, Penn, Moffatt, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, McCauley, Newman & Thompson—19.

Ordered, That the Clerk inform the House of Delegates, forthwith, that the Senate have disagreed to their said amendment.

The amendments proposed by the House of Delegates to the Senate's amendments to the bill, entitled, "An act, to amend the act, entitled, an act, reducing into one the several acts, prescribing the mode of ascertaining the taxable property within the Commonwealth and of collecting the public revenue," being delivered in and twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the Clerk, forthwith, inform the House of Delegates thereof.

The Resolution offered by Mr. McMullen, on yesterday, and ordered to be laid upon the table, on his motion, was taken up.

The said Resolution, on motion of Mr. Conrad, was amended, by striking out from the word "Commonwealth," to the end, and inserting in lieu thereof the words "be instructed to vote for fixing the salaries of officers and agents of said companies according to the recommendation of the Joint Committee on Retrenchment, reported during the present session."

On motion of Mr. McMullen,
 Ordered, That the said Resolution, as amended, be again laid upon the table.

The bill, "Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks' office," being the order of the day, was taken up.

The amendment reported by the committee, on motions of Messrs. Bondurant and Thompson, was further amended.

The said amendment, as amended, was as follows:

"1. *Be it further enacted*, That all writs of *fiery facias*, or of *hapias ad satisfaciendum*, which shall issue from the Circuit Superior Courts of Law and Chancery in the Commonwealth, instead of being made returnable at rules in the several clerks' offices, as is now provided by law, shall, in all cases, be made returnable to the first day of the next succeeding term of the Circuit Superior Court of Law and Chancery to be holden for the county or corporation in which the said writs shall be issued, and not otherwise.

"2. *Be it further enacted*, That all sales of property by virtue or in pursuance of any writ of *fiery facias*, or of *hapias ad satisfaciendum*, which shall have issued from any of the said Circuit Superior Courts, shall take place at the front door of the court-house of the county or corporation, between the hours now prescribed by law, on the first day of some term of the Circuit Superior Court of Law and Chancery to be holden for such county or corporation, and at no other time or place, unless by the consent in writing, of both plaintiff and defendant, or their legally authorised agents: *Provided, however*, That such sale, if commenced as herein before prescribed, on the first day, may be continued from day to day, during the session of the said Court, respectively, until completed.

"3. *Be it further enacted*, That all motions on forfeited forthcoming bonds in the Circuit Superior Courts of Law and Chancery, shall be made at the next succeeding Court after the forfeiture of the forthcoming bond aforesaid, or at some subsequent term thereto.

"4. *Be it further enacted*, That all sales of property in pursuance of any writ of *fiery facias*, *venditioni exponas*, or *hapias ad satisfaciendum*, which shall have issued from any county or corporation court, shall take place at the front door of the court-house of the county or corporation, between the hours now prescribed by law, on the first day of the second term of the quarterly court to be holden for such county or corporation after the levy of such *fiery facias* or *hapias ad satisfaciendum*, or after the rendition of the judgment on the forfeited forthcoming bond, and at no other time or place, unless by the consent in writing, of both plaintiff and defendant, or their legally authorised agents.

"5. *Be it further enacted*, That all motions on forfeited forthcoming bonds in the county or corporation courts, shall be made at the second term of the quarterly court for said county or corporation after the forfeiture of the forthcoming bond aforesaid, or at some subsequent term thereto. And no judgment shall be rendered on any forfeited forthcoming bond taken for the delivery of property, to satisfy

any judgment rendered by a justice of the peace of this Commonwealth, until six months shall have elapsed from the time of the forfeiture of such forthcoming bond.

"6. *And be it further enacted*, That upon all levies made upon executions issued upon judgments upon forfeited forthcoming bonds, the defendant or defendants may retain in their possession, until the day of sale, the property thus levied on, by entering into a bond payable to the plaintiff, with sufficient security, to be judged of by the sheriff or other officer levying the same, conditioned for the delivery of the property on the day of sale, or the payment of the debt, with 15 per cent. damages to the plaintiff, in case of failure to deliver the property or pay the debt on the day of sale: *Provided, however*; That if the defendant, or some one for him, shall deliver the property on the day and at the place provided for in said bond, except such portion thereof as may have died or been destroyed without his assent, then, and in that case, the defendant shall be discharged of the penalty hereby imposed.

"7. *And be it further enacted*, That it shall be the duty of the sheriff or other officer taking such bond, upon failure of the parties to deliver the property or pay the same, to return the same to the Clerk of the Court from which said execution issued, who is hereby authorized to enter a judgment on the same in the Clerk's office, and issue execution thereon for the debt and 15 per cent. damages, and endorse thereon, no security of any kind to be taken."

And, on the question being then put upon the said amendments, as amended, it was disagreed to by the Senate. Ayes 9. Noes 19.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. Bondurant, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cocke, Bondurant, Piper, Preston, Shian, McMullen, Langthorne and Thompson—9.

Noes—Messrs. Cox, Campbell, Thornton, Peyton, Carson, Atkinson, Conrad, Bouldin, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Scott, Taylor, Guerrant, Rogers, McCauley and Newman—19.

The said bill, on motion of Mr. Conrad, was then amended, and, as amended, ordered to be read a third time.

The bill, as amended, was accordingly, read the third time, on motions of Messrs. Cox and Conrad, was further amended, and, as amended, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Conrad, was also, amended, by striking out from the word "Act," where it first occurs, and inserting in lieu thereof the words "in relation to confession of judgment, growing crops and writs of *capias*."

And, on the question being put upon the title of the said bill, as amended, it was agreed to by the Senate.

Ordered, That the Clerk, forthwith, inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

On motion of Mr. Scott.

The Senate then adjourned until to-morrow twelve o'clock.

WEDNESDAY, MARCH 15, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 14, 1843.

The House of Delegates have passed bills, entitled, "An act, to amend an act, entitled, an act, to incorporate the Lexington and Rockbridge county Savings Institution, and the Elizabethtown Savings Institution, in the county of Ohio, passed March 8th, 1834," No. 150; "An act, concerning the Glebe and other funds of James City county," No. 198; "An act, concerning receivers of stolen goods," No. 164; "An act, incorporating the Fairmont and Palatine bridge company," No. 207; "An act, imposing taxes for the support of government," No. 237; and, "An act, releasing the Commonwealth's right to a certain lot of land therein mentioned to Mary Roper," No. 157; In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "Concerning receivers of stolen goods," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Imposing taxes for the support of government," on motion, was, also, read the second time, and ordered to be committed to the same committee.

On motion of Mr. Atkinson,

Ordered, That three members be added to the committee of General Laws.

Ordered, That Messrs. Preston, Thornton and McMullen be added to the said committee.

The bill, "Releasing the Commonwealth's right to a certain lot of land therein mentioned to Mary Roper," on motion, was, also, read the second time, and ordered to be committed to the committee of Claims.

The bill, "Concerning the Glebe and other funds of James City county," on motion, was, also, read the second time, and ordered to be committed to Messrs. Carter of C. C., Thornton and Taylor.

The bill, "Incorporating the Fairmont and Palatine bridge company," on motion, was, also, read the second time, and ordered to be committed to Messrs. Willey, Newman and Shinn.

The bill, "To amend an act, entitled, an act, to incorporate the Lexington and Rockbridge county Savings Institution, and the Elizabethtown Savings Institution, in the county of Ohio, passed March 8th, 1834," on motion, was, also, read the second time, and ordered to be committed to Messrs. Peyton, Newman and McCauley.

The bill, "To incorporate the Powell's Hotel company in the town of Petersburg," which, on Thursday last, was reported with an amendment, and ordered to be laid upon the table, on motion of Mr. Cox, was taken up.

The amendment reported by the committee proposed to strike out the last section of the bill, which was as follows:

Resolved, That nothing in this act contained shall exempt the private property of the stockholders from the payment of a rateable proportion of the debts of said company, after the corporate funds shall have been exhausted."

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 10. Noes 14.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Shinn, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Peyton, Baptist, Conrad, Preston, Carter of C. C., Carter of R. and Rogers—10.

Noes—Messrs. Henton (Speaker,) Carson, Atkinson, Penn, Moffett, Sloan, Shinn, McMullen, Langhorne, Scott, Taylor, Guerrant, McCauley and Newman—14.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate. Ayes 13. Noes 11.

The ayes and noes, on that question, being required by Mr. Shinn, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Campbell, Thornton, Peyton, Carson, Baptist, Conrad, Preston, Carter of C. C., Sloan, Langhorne, Scott, Rogers and McCauley—13.

Noes—Messrs. Henton (Speaker,) Willey, Atkinson, Penn, Carter of R., Moffett, Shinn, McMullen, Taylor, Guerrant and Newman—11.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

Mr. Thornton, from the committee to whom was committed the bill, "Incorporating the Hecla manufacturing company, in the town of Fredericksburg," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate. Ayes 19. Noes 3.

The ayes and noes, on that question, being required by Mr. Shinn, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Henton (Speaker,) Cox, Campbell, Thornton, Peyton, Carson, Willey, Baptist, Conrad, Preston, Carter of R., Moffett, Sloan, Langhorne, Scott, Guerrant, Rogers, McCauley and Newman—19.

Noes—Messrs. Penn, Shinn and McMullen—3.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

The Resolution offered by Mr. McMullen, and, as amended, ordered to be laid on the table on yesterday, on his motion, was taken up.

The said Resolution, on motions of Messrs. Conrad and McMullen, was further amended, and, as amended, was as follows:

Resolved by the General Assembly, That the proxies of, and the directors on the part of the Commonwealth, in any rail road and turn pike company, be instructed to vote for fixing the salaries of officers and agents of said companies, according to the recommendation of the Joint Committee on Retrenchment, reported during the present session."

And, on the question being put upon the said Resolution, it was agreed to by the Senate, Ayes 21. Noes 2.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Carson, Wilkey, Atkinson, Baptist, Conrad, Preston, Bouldin, Penn, Carter of R., Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley and Newman—21.

Noes—Messrs. Peyton and Carter of C. C.—2.

Ordered, That the Clerk, forthwith, inform the House of Delegates of the agreement of the Senate to the said resolution, and request their concurrence therein.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "To prevent free negroes and mulattoes from selling grain and other articles without a certificate of ownership," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Atkinson, was amended.

Mr. Langhorne moved a further amendment to the said bill, and, on motion of Mr. Carter of R., the bill and proposed amendment were ordered to be laid upon the table.

On motion of Mr. Atkinson,

The Senate then adjourned until to-morrow twelve o'clock.



THURSDAY, MARCH 16, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 15, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bill, entitled, "An act, authorising a payment to Nicholas Dillard by the school commissioners of Pittsylvania from the quota of 1843," No. 160.

And, have passed bills, entitled, "An act, amending the act, concerning apprentices bound out by the overseers of the poor," No. 166; "An act, concerning the Rivanna Navigation company," No. 169; "An act, incorporating the New Creek Turnpike company," No. 170; "An act, repealing the act of 23d February, 1842, concerning sales of certain property under writs of *venditioni exponas*," No. 171; and, "An act, to amend an act, entitled, an act, incorporating the stockholders of the Richmond, Fredericksburg and Potomac rail road company," No. 173: In which they request the concurrence of the Senate.

And the committee on the part of the House appointed to examine Enrolled Bills, having examined sundry other bills and found them truly enrolled, they are herewith communicated for further examination.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Enrolled Bills, being delivered in, were referred to the committee appointed to examine them.

The bill, "Concerning the Rivanna navigation company," on motion, was read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "Incorporating the New Creek turnpike company," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "To amend an act, entitled, an act, incorporating the stockholders of the Richmond, Fredericksburg and Potomac rail road company," on motion, was also, read the second time, and ordered to be committed to the same committee.

The bill, "Amending the act, concerning apprentices bound out by the overseers of the poor," on motion, was also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Repealing the act of the 23d February, 1842, concerning sales of certain property under writs of *venditioni exponas*," on motion, was also, read the second time, and ordered to be committed to the committee of Courts of Justice.

The following message was received from the House of Delegates by Mr. Crutchfield:

Mr. Speaker—The House of Delegates have passed the bill, entitled, "An act, authorising the James river and Kanawha company to increase their tolls, and for other purposes;" in which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to the committee of Internal Improvement.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Releasing the Commonwealth's right to a certain lot of land therein mentioned to Mary Roper," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Carter of R., ordered to be laid upon the table.

Mr. Peyton, from the committee to whom was committed the bill, "To amend an act, entitled, an act, to incorporate the Lexington and Rockbridge county Savings Institution, and the Elizabethtown Savings Institution, in the county of Ohio, passed March 8th, 1834," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cox presented the memorial of J. G. Gregory & Co., praying for a reduction of the tax on licenses for the sale of domestic lottery tickets, which, on his motion, was referred to the committee of General Laws.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Concerning Samuel Houston and the administrator of John Saunderson, deceased," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Carter of R.,

Ordered, That the said bill be laid upon the table.

The bill, "To prevent free negroes and mulattoes from selling grain and other articles without a certificate of ownership," on motion of Mr. Atkinson, was taken up.

The amendment offered by Mr. Langhorne to the said bill, on yesterday, on his motion, was withdrawn, with the consent of the Senate.

The bill, on motion of Mr. Atkinson, was further amended.

Mr. Rogers then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 16.

The ayes and noes, on that question, being required by Mr. Rogers, seconded by Mr. Langhorne, were as follow:

Ayes—Messrs. Hutton (Speaker,) Carson, Piper, Penn, McMullen, Rogers, McCauley and Newman—8.

Noes—Messrs. Cox, Cooke, Peyton, Willey, Atkinson, Baptist, Bondurant, Woolfolk, Preston, Carter of R., Moffett, Sloan, Langhorne, Scott, Taylor and Guerrant—16.

And, on the question being then put upon the said bill, it was passed by the Senate. Ayes 16. Noes 8.

The ayes and noes, on that question, being required by Mr. Preston, seconded by Mr. Rogers, were as follow:

Ayes—Messrs. Cox, Thornton, Cooke, Peyton, Willey, Atkinson, Baptist, Bondurant, Woolfolk, Preston, Penn, Moffett, Sloan, McMullen, Langhorne and Taylor—16.

Noes—Messrs. Hutton (Speaker,) Carson, Piper, Carter of R., Scott, Guerrant, Rogers, McCauley and Newman—9.

The title of the said bill, on motion of Mr. Atkinson, was also amended, by striking out from the word "Act," to the end, and inserting in lieu thereof the words "concerning free negroes and mulattoes."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

On motion of Mr. Atkinson,

Resolved, That the 29th rule of the Senate be suspended for the remainder of the session.

Mr. Willey, from the committee to whom was committed the bill, "Incorporating the Fairmont and Palatine Bridge company," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The said amendment was as follows:

Insert before the commencing clause the following provision: *Provided*, however, That if the corporate funds of the said corporation shall be exhausted, leaving debts due by said corporation un-

paid, the members of the said corporation shall be liable in their private estates respectively, for the debts of the said company, in the proportion which the stock owned or held by each stockholder bears to the whole capital stock of the corporation, and the debts of the said company then due and unpaid."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate. Ayes 18. Noes 9.

The ayes and noes, on that question, being required by Mr. Cockey, seconded by Mr. Willey, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Pipes, Penn, Moffett, McMullen, Scott, Taylor, Guerrant, McCauley and Newman—18.

Noes—Messrs. Thornton, Cockey, Peyton, Bondurant, Woolfolk, Preston, Carter of R., Sloan and Rogers—9.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

On motion of Mr. Peyton,

Ordered, That the committee of Courts of Justice have leave to sit during the session of the Senate.

Mr. Peyton, from the Committee of Courts of Justice, to whom was committed the bill, "Repealing the act of 23d Feb'y, 1842, concerning sales of certain property under writs of *venditioni exponas*," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question being put upon the passage thereof, was rejected by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Woolfolk,

The Senate then adjourned until to-morrow twelve o'clock.

—o—
FRIDAY, MARCH 17, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 16, 1843.

The House of Delegates agree to the resolution proposed by the Senate for instructing the proxies and directors of rail roads and turn-pike companies to vote for a reduction in the salaries of the officers of said companies.

Mr. Atkinson, from the committee of General Laws, to whom was referred the memorial of J. G. Gregory & Co., praying for the reduction of the tax on the licenses for the sale of domestic lottery tickets, reported that the committee had, according to order, taken the said memorial under consideration, and asked leave to be discharged from the further consideration thereof.

And, on the question put thereupon, the said leave was granted.

Mr. Atkinson, also, from the same committee, to whom was committed the bill, "Amending the act concerning apprentices bound out by the overseers of the poor," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on his motion, ordered to be laid upon the table.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Incorporating the New Creek turnpike company," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Cocke, also, from the same committee, to whom was committed the bill, "Concerning the Rivanna navigation company," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, also, from the same committee, to whom was committed the bill, "To amend an act, entitled, an act, incorporating the stockholders of the Richmond, Fredericksburg and Potomac rail road company," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, also, from the same committee, to whom was committed the bill, "Changing the location of part of the White and Salt Sulphur Springs turnpike road passing through the town of Union, in the county of Monroe," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. McMullen, ordered to be laid upon the table.

On motion of Mr. Atkinson,

Ordered, That the committee of General Laws have leave to sit during the session of the Senate, for the remainder of the session.

The bill, "Releasing the Commonwealth's right to a certain lot of land therein mentioned to Mary Roper," which was, yesterday, read the third time, and ordered to be laid upon the table, on motion of Mr. Carter of R., was taken up.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cox, from the committee appointed to examine the enrolled bills, reported that the committee had, according to order, examined sundry other such bills, which were found truly enrolled.

The Speaker then signed the following enrolled bills:—

An act, extending the provisions of the 7th section of the act concerning the banks of this Commonwealth to the counties of Pocahontas and Pendleton.

An act, incorporating the town of Fairmont in the county of Marion.

An act, establishing the county of Ritchie, out of parts of the counties of Harrison, Lewis and Wood.

An act, concerning Henry Hayes.

An act, giving to Sardis Cole, his heirs and assigns, further time to establish his ferry across the Ohio river.

An act, changing the Spring terms of the Circuit Superior Courts of the counties of Caroline and Lancaster.

An act, to secure to Mechanics and others, payment for their labor and materials expended in erecting or repairing houses and other buildings and their appurtenances.

An act, to authorise a separate election in each of the counties of Louisa, Prince William and Rockingham.

An act, to regulate the reward for killing wolves in the county of Kanawha.

An act, allowing further time to the owners of lots in the town of Columbia, in the county of Fluvanna, to build on and improve the same.

An act, authorising the erection of mill dams and to dam the water thereby for a limited period.

An act, authorising the exchange of arms with the Petersburg Light Infantry Greys and the Norfolk Virginia Guards.

An act, to authorise a loan to Emory and Henry College from the uninvested capital of the Literary fund.

An act, authorising the purchase of the copy right of Davis's Criminal Law and exposition of the office and authority of justices of the peace in Virginia, including forms of practice.

An act, authorising Joseph McClurg and Christopher Champ, to execute their official bonds and qualify as sheriffs of the counties of Greenbrier and Giles, before justices of the peace.

An act, concerning the decisions of the General Court.

An act, authorising the guardianship of orphans of Jesse Tomlinson, deceased, to sell and convey the interests of his wards in a ferry therein mentioned.

An act, ceding the Commonwealth's right in certain lands to the trustees of Preston Academy.

An act, concerning Philip Russell of Brooke county.

An act, directing payment from the school quota of Cabell county for the year 1843, of a balance due to the county of Wayne.

An act, to authorise a ferry from the land of John Thompson, jr., in the county of Marshall, across the Ohio river.

An act, incorporating the American Literary Institute of Bethany College.

An act, incorporating the Jonesville Lyceum, in the county of Lee.—And,

An act, repealing the several acts concerning the Board of Agriculture.—24.

Ordered, That the Clerk inform the House of Delegates thereof, and return the said bills to that House.

On motion of Mr. Moffett,

The Senate then adjourned until to-morrow twelve o'clock.

SATURDAY, MARCH 18, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 17, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, incorporating the Fairmont and Palatine Bridge company," No. 207.

And, have passed a bill, entitled, "An act, concerning delinquent and forfeited lands west of the Alleghany Mountain, and for other purposes," No. 47; In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to the committee of General Laws.

On motion of Mr. Cocke,

Resolved, That the committee of General Laws be authorised to have printed 185 copies of their proposed amendments to the bill, "Prescribing the mode of ascertaining certain subjects of taxation," and the bill, "Imposing taxes for the support of government," for the use of the General Assembly.

On motion of Mr. Cocke,

The Senate then adjourned until Monday next twelve o'clock.



MONDAY, MARCH 20, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 18, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, incorporating the New Creek turnpike company," No. 170.

They have passed a bill, entitled, "An act, extending the jurisdiction of justices of the peace," No. 61; and adopted a Resolution authorising the Sheriff of Henrico to cause to be conveyed to the jail of Lee county a certain prisoner: In which Bill and Resolution they request the concurrence of the Senate.

And their committee appointed to examine Enrolled Bills have examined sundry such bills, which, being found truly enrolled, are herewith communicated for further examination and for signature.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to the committee of Courts of Justice.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The said Enrolled Bills, being delivered in, were referred to the committee appointed to examine them.

Mr. Cox presented a copy of the proceedings of a meeting of the citizens of the town of Petersburg expressive of their disapprobation of the bill, "Imposing taxes for the support of government," which, being read, on his motion, was ordered to be laid upon the table.

Mr. Carter of R., presented a copy of the proceedings of a numerous meeting of the citizens of the city of Richmond, called to consider the bill, "Imposing taxes for the support of government," and to take such action in reference thereto as might be deemed proper, which, being read, on his motion, was ordered to be laid upon the table.

Mr. Thornton presented a copy of the proceedings of a meeting of the citizens of the town of Fredericksburg, in relation to the bill, "Imposing taxes for the support of government," which, being read, on his motion, was ordered to be laid upon the table.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Prescribing the mode of ascertaining the taxable property of this Commonwealth," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments, being read, on motion of Mr. Atkinson, were, with the bill, ordered to be laid upon the table.

Mr. Atkinson, also, from the same committee to whom was committed the bill, "Imposing taxes for the support of government," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments to the 2d and 3d sections, being twice read, on the questions put thereupon, were agreed to by the Senate.

The first amendment to the fifth section, on motion of Mr. Scott, was passed over.

The other amendments to the said section, being twice read, on the questions put thereupon, were agreed to by the Senate.

The first amendment to the 6th section of the said bill, proposed to strike out the words "upon all devises and inheritances of real estate accruing to other than the lineal heirs of the testator or intestate, there shall be levied, collected and paid a tax of two per centum upon the value thereof; and upon all pecuniary or other legacies and bequests and distributary shares of personal property derived by others than the lineal kindred of the testator or intestate a tax of two per centum upon such legacy, bequest or distributary share."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate. Ayes 18. Noes 8.

The ayes and noes, on that question, being required by Mr. Peyton, seconded by Mr. Cocke, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Cocke, Carson, Atkinson, Baptist, Bondurant, Woolfolk, Preston, Carter of R., Moffett, Sloan, Langhorne, Taylor, McCauley, Newman & Thompson—18.

Noes—Messrs. Thornton, Peyton, Willey, Piper, Penn, Scott, Guerrant and Rogers—8.

On motion of Mr. Cocke,

Ordered, That the said bill and amendments be laid upon the table.

On motion of Mr. Atkinson,

Ordered, That the committee of General Laws be discharged from the further consideration of the bill, "Concerning receivers of stolen goods," and that the said bill be committed to the committee of Courts of Justice.

Ordered, That Mr. Thornton be added to the committee of Courts of Justice.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.



TUESDAY, MARCH 21, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 20, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act, explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the clerks' office," No 29; and, "An act, establishing a new system for the training and mustering the 25th Regiment, and for the Militia of the Commonwealth," No. 111.

And have passed a bill, entitled, "An act, to authorize the investment of the surplus income of infants in the purchase of real or personal estate, and for other purposes," No. 98: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to the committee of Courts of Justice.

On motion of Mr. Atkinson,

The bill, "Imposing taxes for the support of government," was taken up.

Mr. Langhorne moved to amend the said amendment, reported by the committee, to the 6th section, by inserting the words "and upon every marriage license one dollar."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 12. Noes 13.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Langhorne, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Peyton, Willey, Woolfolk, Piper, Langhorne, Scott, Taylor, Rogers and Newman—12.

Noes—Messrs. Hunton (Speaker,) Cocke, Atkinson, Baptist, Preston, Penn, Carter of R., Moffett, Sloan, McMullen, Guerrant, McCauley and Thompson—13.

And, on the question being then put upon the said amendment of the committee, it was agreed to by the Senate.

The first amendment to the fifth section of the said bill, which was yesterday passed over, proposed to strike out the words "State bonds or certificates of public debt of this Commonwealth."

And, on the question being put upon the said amendment, it was agreed to by the Senate. Ayes 22. Noes 3.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Carter of R., (Speaker pro tempore,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Preston, Penn, Moffett, Sloan, Longhorne, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—22.

Noes—Messrs. Woolfolk, Piper and McMullen—3.

Mr. Woolfolk then moved to amend the fifth section of the said bill, by inserting after the word "Commonwealth," the words "whether the State be security or not."

And, on the question being put upon the said proposed amendment, it was disagreed to by the Senate, Ayes 11. Noes 14.

The ayes and noes, on that question, being required by Mr. Woolfolk, seconded by Mr. Preston, were as follow:

Ayes—Messrs. Cox, Carson, Willey, Atkinson, Woolfolk, Piper, Penn, Sloan, McMullen, Guerrant and Newman—11.

Noes—Messrs. Carter of R. (Speaker pro tem,) Campbell, Thornton, Cocke, Peyton, Baptist, Preston, Moffett, Langhorne, Scott, Taylor, Rogers, McCauley and Thompson—14.

Mr. McMullen moved to amend the fourth section of the said bill, by striking out the words "and on all other clocks."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 12. Noes 14.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Willey, Atkinson, Penn, Moffet, Sloan, McMullen, McCauley, Newman & Thompson—12.

Noes—Messrs. Campbell, Thornton, Cocke, Peyton, Baptist, Woolfolk, Piper, Preston, Carter of R., Langhorne, Scott, Taylor, Guerrant and Rogers—14.

Mr. Peyton offered a farther amendment to the said bill.

Mr. McMullen then moved, that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 2. Noes 24.

The ayes and noes, on that question, being required by Mr. Woolfolk, seconded by Mr. Moffett, were as follow:

Ayes—Messrs. McMullen and Thompson—2.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Preston, Penn, Carter of R., Moffett, Sloan, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley and Newman—24.

And, on the question being then put upon the said amendment, proposed by Mr. Peyton, it was agreed to by the Senate.

The said bill, on motions of Mr. Atkinson, was further amended.

Mr. Woolfolk moved to amend the fifth section of the said bill, by striking out the word "five," before the word "dollars," (being the tax on physicians, surgeons and dentists,) and inserting in the thereof the word "ten."

Mr. Langhorne moved to amend the said proposed amendment, by inserting the word "fifty," instead of the word "ten."

And, on the question put thereupon, it was disagreed to by the Senate. Noes 26.

The ayes and noes, on that question, being required by Mr. Langhorne, seconded by Mr. Woolfolk, were as follow:

Noes—Messrs. Hinton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Preston, Penn, Carter of R., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCasley, Newman and Thompson—26.

And, on the question being then put upon the said amendment, proposed by Mr. Woolfolk, it was agreed to by the Senate.

Mr. Cocke then moved to further amend the fifth section of the said bill, by striking out from the words "one per centum on the amount of such excess," the words "except such fees as may be derived from the practice of law and medicine; on every attorney at law who shall have been engaged in practice three years on the first day of February next before the time of listing taxable subjects and returning the same by the commissioner of the revenue, five dollars; on every physician, surgeon and dentist, and on every other person who shall practice medicine or surgery, for fee or reward, and who shall have been engaged in such practice for three years on the first day of February next before the time of taking the list of taxable subjects by the commissioner of the revenue, ten dollars."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate.

On motion of Mr. Thompson,

The Senate then adjourned until to-morrow twelve o'clock.

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WEDNESDAY, MARCH 23, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 21, 1843.

The House of Delegates have passed bills, entitled, "An act, concerning dams on streams improved by navigation companies," No. 167; "An act, to construct a new press for the First Auditor's office," No. 180; "An act, concerning the accounts of jailors for supporting lunatics, and for other purposes," No. 181; "An act, regulating fishing on the Potomac river during certain months and concerning obstructions to fishing on said river," No. 190; "An act, to incorporate the Augusta Savings Institution," No. 193; "An act, to provide for the opening and repairing of public roads, and for building and repairing bridges in the county of Brooke," No. 196; "An act, extending the provisions of the act of 9th March, 1840, authorising John Whitaker to erect a toll bridge across Peak Creek, in the county of Wythe, now Pulaski," No. 199; and, "An act, providing for the correction of an error in the assessment of a certain tract of land in the county of Loudoun," No. 200.

And have adopted a Resolution extending the time for the delivery of the Land books, and lists of taxable property by commissioners of the revenue; altering the time when Sheriffs and other collectors shall

begin to collect the public taxes and may distrain for the same; and, also, altering the time of making the county levy: In which bills and resolution they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution being, also, delivered in and twice read, on motion, was ordered to be committed to the committee of General Laws.

The bill, "Concerning the accounts of jailors for supporting lunatics, and for other purposes," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "To provide for the opening and repairing of public roads, and for building and repairing bridges in the county of Brooke," on motion, was also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "Concerning dams on streams improved by navigation companies," on motion, was, also, read the second time, and ordered to be committed to the same committee.

The bill, "To construct a new press for the First Auditor's office," on motion, was, also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Providing for the correction of an error in the assessment of a certain tract of land in the county of Loudoun," on motion, was, also, read the second time, and ordered to be committed to Messrs. Rogers, Woolfolk and Carter of R.

The bill, "Extending the provisions of the act of 9th March, 1840; authorising John Whitaker to erect a toll bridge across Peak creek, in the county of Wythe, now Pulaski," on motion, was, also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "To incorporate the Augusta Savings Institution," on motion, was, also, read the second time, and ordered to be committed to Messrs. Peyton, Moffett and Carson.

The bill, "Regulating the fishing on the Potomac river during certain months, and concerning obstructions to fishing on said river," on motion, was also, read the second time, and ordered to be committed to Messrs. Rogers, Carter of R. and Taylor.

The bill, "Changing the location of part of the White and Salt Sulphur Springs turnpike road passing through the town of Union, in the county of Monroe," which, on Friday last, was read the third time, and ordered to be laid upon the table, on motion of Mr. Preston, was taken up.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Imposing taxes for the support of government," on motion of Mr. Langhorne, was taken up.

Mr. Langhorne moved further to amend the said bill, by inserting after the word "Commonwealth," in the 1st section, the words "for every free white male citizen between the ages of twenty-one and sixty years, cents."

And, on the question being put upon the said proposed amendment, it was disagreed to be the Senate. Ayes 5. Noes 20.

The ayes and noes, on that question, being required by Mr. Preston, seconded by Mr. Langhorne, were as follow:

Ayes—Messrs. Cox, Campbell, Cocke, Peyton and Langhorne—5.

Noes—Messrs. Hunton (Speaker,) Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Preston, Bouldin, Penn, Carter of R., Sloan, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—20.

The said bill, on motions of Messrs. Cox, Peyton and Preston, was further amended.

A part of the 4th section of the said bill was as follows: "On all silver plate, to be paid by the owner, whether in use or not, over the value of fifty dollars, one per centum on the value thereof."

Mr. McMullen moved to amend that part of the said section, by striking out the word "one," and inserting in lieu thereof the word "two."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 12. Noes 15.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Campbell, Carson, Willey, Bouldin, Penn, Moffett, Sloan, McMullen, Guerrant, McCauley, Newman & Thompson—12.

Noes—Messrs. Hunton (Speaker,) Cox, Thornton, Cocke, Peyton, Atkinson, Baptist, Woolfolk, Piper, Preston, Carter of R., Langhorne, Scott, Taylor and Rogers—15.

A part of the third section of the said bill, was as follows: "On every license to keep a house of private entertainment, a tax of not less than three dollars."

Mr. Langhorne moved to amend that part of the said section, by striking out the word "three," and inserting in lieu thereof the word "ten."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 2. Noes 25.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Newman, were as follow:

Ayes—Messrs. Peyton and Langhorne—2.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Carson, Willey, Atkinson, Baptist, Woolfolk, Piper, Preston, Bouldin, Penn, Carter of R., Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—25.

Mr. Atkinson moved to amend the fifth section of the said bill, by striking out the words,

"On all money loaned out at interest by individuals, or any bonds, notes or other securities acquired by purchase, over and above the sum in the aggregate of one hundred dollars, two and a half per centum on the amount of all interest or profits received therefrom, within the year next preceeding the time of listing or giving in the same to the commissioner of the revenue, after deducting therefrom the interest on all sums in which such individuals may be indebted to others."

And inserting in lieu thereof the words—"On the value of all bonds, notes, deeds of trust, mortgage or other securities, over and above the sum of two hundred dollars, one-eight of one per cent. on the value of such securities, after deducting therefrom the amount which he, she or they may owe, the said value to be ascertained by the person holding them."

And, on the question put thereupon, it was agreed to by the Senate. Ayes 14. Noes 12.

The ayes on noes, on that question, being required by Mr. Langhorne, seconded by Mr. Atkinson, were as follows:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Atkinson, Woolfolk, Piper, Bouldin, Moffett, Sloan, McMullen, Taylor, McCauley, Newman and Thompson—14.

Noes—Messrs. Campbell, Thornton, Cocke, Peyton, Baptist, Preston, Penn, Carter of R., Langhorne, Scott, Guerrant and Rogers—12.

Mr. Atkinson offered a further amendment to the fifth section, as amended, of the said bill, by inserting after the word "excess," the following proviso:

"Provided, however, That if any physician, surgeon or dentist, or any attorney at law practising in any of the courts of this Commonwealth (except the court of appeals) shall pay to the sheriff or collector, the sum of ten dollars as a tax, he shall not be compelled to pay the aforesaid per cent. upon his income above four hundred dollars; and if any attorney at law, practising in the court of appeals of this Commonwealth, shall, in like manner, pay to the sheriff or collector, the sum of twenty dollars as a tax, he shall not be compelled to pay one per cent. as aforesaid upon his income above four hundred dollars."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate. Ayes 16. Noes 10.

The ayes and noes, on that question, being required by Mr. Langhorne, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Atkinson, Woolfolk, Piper, Bouldin, Carter of R., Moffett, Sloan, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—16.

Noes—Messrs. Campbell, Thornton, Cocke, Peyton, Baptist, Preston, Penn, McMullen, Langhorne and Rogers—10.

The said bill, on motion of Mr. Rogers, was further amended, by inserting before the words "silver plate," the words "gold or."

On motion of Mr. Atkinson,

Ordered, That the said bill, as amended, be laid upon the table.

The following message was received from the House of Delegates by Mr. Gratchfield:

Mr. Speaker,—The House of Delegates have agreed to a Resolution for distributing certain copies of the sixth census: In which they request the concurrence of the Senate.

The said Resolution, being delivered and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The following message was received from the House of Delegates by Mr. Watts:

Mr. Speaker—The House of Delegates have passed the bills, entitled, "An act, converting into stock the States' loan to sundry rail road companies, and for other purposes," and, "An act, to amend the act, entitled, an act, forming a new county out of parts of the counties of Lewis, Kanawha and Nicholas;" and they have agreed to a Resolution for adjourning *sine die* on Saturday next: In which bills and Resolution they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being delivered in and twice read, Mr. Thornton moved that it be laid upon the table.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 10. Noes 12.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Thornton, Peyton, Carson, Piper, Moffett, Sloan, Guerrant and Rogers—10.

Noes—Messrs. Cox, Atkinson, Baptist, Woolfolk, Penn, McMullen, Langhorne, Scott, Taylor, McCauley, Newman and Thompson—12.

And, on the question being then put upon the said Resolution, it was agreed to by the Senate. Ayes 13. Noes 8.

The ayes and noes, on that question, being required by Mr. Scott, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Cox, Atkinson, Baptist, Woolfolk, Piper, Penn, McMullen, Langhorne, Scott, Taylor, McCauley, Newman and Thompson—13.

Noes—Messrs. Hunton (Speaker,) Campbell, Peyton, Carson, Moffett, Sloan, Guerrant and Rogers—8.

Ordered, That the Clerk inform the House of Delegates of the agreement of the Senate to the said Resolution.

The bill, "To amend the act, entitled, an act, forming a new county out of parts of the counties of Lewis, Kanawha and Nicholas," on motion, was read the second time, and ordered to be committed to Messrs. Thompson, Shinn and Newman.

Mr. Peyton, from the committee to whom was committed the bill, "To incorporate the Augusta Savings Institutions," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Converting into stock the State's loan to sundry rail road companies, and for other purposes," on motion, was read the second time, and ordered to be committed to the committee of Internal Improvement.—On motion of Mr. Atkinson,

Ordered, That the bill "Prescribing the mode of ascertaining certain subjects of taxation," be re-committed to the committee of General Laws.

On motion of Mr. Baptist,
Resolved, That when the Senate adjourns to-day, it will adjourn until to-morrow eleven o'clock.

On motion of Mr. Peyton,
The Senate then adjourned accordingly.

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THURSDAY, MARCH 23, 1848.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 22, 1848.

The House of Delegates recede from their amendment to the amendment proposed by the Senate to the bill, entitled, "An act, extending the conditions and restrictions imposed on country merchants retailing ardent spirits, to merchants retailing the same within incorporated towns;" No. 91.

They recede from their disagreement to the fourth amendment of the Senate to the bill, entitled, "An act, concerning the weighing of live stock brought to the City of Richmond," No. 39, and agree to the same; and they agree to the amendment proposed by the Senate to the fifth amendment of the House of Delegates to their amendments to said bill.

They also, agree to the amendments proposed by the Senate to the bill, entitled, "An act, concerning the administrator of Valentine Thomas Dalton, deceased," No. 46.

And have passed a bill, entitled, "An act, concerning sheriffs and other officers' commissioners and attorneys fees on forthcoming bonds," No. 201: In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be committed to the committee of General Laws.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "To construct a new press for the first Auditor's office," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, also, from the same committee, to whom was committed the Resolution extending the time for the delivery of the land books and lists of taxable property by commissioners of the revenue, altering the time when sheriffs and other collectors shall begin to collect the public taxes and may distrain for the same; and, also, altering the time of making the county levy; reported that the committee had, according to order, taken the said Resolution under consideration, and made no amendment thereto.

And, on the question being then put upon the said Resolution, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Changing the company of Artillery attached to the 9th regiment to a company of Light Infantry," which, on the 21st ultimo, was reported, and ordered to be laid upon the table, on motion of Mr. Rogers, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Amending the act concerning apprentices bound out by the overseers of the poor," on motion of Mr. Carter of C. C., was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Taylor then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Scott, from the committee of Internal Improvement, to whom was committed the bill, "Extending the provisions of the act of the 9th of March, 1840, authorising John Whitaker to erect a toll bridge across Peak creek, in the county of Wythe, now Pulaski," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Taylor then offered an amendment to the said bill.

Mr. Newman moved that the previous question be now put.

And, on the question put thereupon, it was agreed to by the Senate.

And, on the question being then put upon the said bill, it was passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Scott, also, from the same committee, to whom was committed the bill, "To provide for the opening and repairing of public roads, and for building and repairing bridges in the county of Brooke," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Concerning dams on streams improved by navigation companies," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Taylor, was amended, and, as amended, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Taylor, was also amended, by adding to the end thereof the words "and for other purposes."

Ordered, That the Clerk inform the House of Delegates of the passage of said bill, and request their concurrence in the amendments.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Prescribing the mode of ascertaining certain subjects of taxation," reported that the committee had, according to order, taken the said bill under consideration, and made several other amendments thereto, which he delivered in with the bill.

The amendments reported by the committee to the said bill, to-day, and heretofore, being twice read, on the questions put thereupon, were agreed to by the Senate.

The said bill, on motion of Mr. Atkinson, was further amended, and, as amended, ordered to be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The bill, "Imposing taxes for the support of government," on motion of Mr. Atkinson, was taken up.

The said bill, on motion of Mr. Atkinson, was further amended, and, as amended, ordered to be read a third time.

The bill, as amended, was accordingly, read the third time.

Mr. Locke then moved further to amend the said bill by striking out the words "upon every male free negro or mulatto above the age of twenty-one and under the age of fifty years, one dollar."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate. Ayes 17. Noes 10.

The ayes and noes, on that question, being required by Mr. Preston, seconded by Mr. Cooke, were as follow:

Ayes—Messrs. Hunter (Speaker,) Campbell, Thornton, Cooke, Willey, Preston, Bouldin, Peck, Oaster of C. C., Carter of R., Moffett, Sloan, Langhorne, Guerrant, Rogers, McCauley and Newman—17.

Noes—Messrs. Cox, Peyton, Carson, Atkinson, Baptist, Woolfolk, Piper, McMullen, Scott and Taylor—10.

The said bill, on motion of Mr. Peyton, was further amended.

Mr. Newman moved further to amend the said bill, by striking out the words "on all other clerks, twenty-five cents."

And, on this question being put upon the said proposed amendment, it was disagreed to by the Senate. Ayes 12. Noes 14.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Hunter (Speaker,) Cox, Carson, Atkinson, Woolfolk, Piper, Peck, Moffett, Sloan, McMullen, McCauley and Newman—12.

Noes—Messrs. Campbell, Thornton, Cooke, Peyton, Baptist, Preston, Bouldin, Carter of C. C., Carter of R., Langhorne, Scott, Taylor, Guerrant and Rogers—14.

At pass of the third section of the said bill, was as follows: "to a wholesale and retail merchant according to the following scale, viz: if his annual purchases are under five thousand dollars, twenty dollars;

Mr. Cox moved further to amend the said section, by striking out the word "twenty," and inserting in lieu thereof the word "fifteen."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 6. Noes 20.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. Cox, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Baptist, Moffett, Langhorne and Newman—6.

Noes—Messrs. Campbell, Thornton, Cocke, Peyton, Carson, Atkinson, Woolfolk, Piper, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Sloan, McMullen Scott, Taylor, Guerrant, Rogers and McCauley—20.

Mr. Carter of R., offered a further amendment to the said bill.

Mr. Woolfolk offered an amendment to the proposed amendment.

Mr. Cox then moved that the previous question be now put.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 18. Noes 8.

The ayes and noes, on that question, being required by Mr. Bouldin, seconded by Mr. Cox, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Carson, Atkinson, Baptist, Woolfolk, Piper, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—18.

Noes—Messrs. Thornton, Cocke, Peyton, Preston, Carter of C. C., Carter of R., Langhorne and Rogers—8.

And, on the question being then put upon the said bill, it was passed by the Senate. Ayes 20. Noes 8.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Atkinson, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Peyton, Carson, Willey, Atkinson, Woolfolk, Piper, Preston, Bouldin, Penn, Moffett, Sloan, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—20.

Noes—Messrs. Campbell, Cocke, Baptist, Carter of C. C., Carter of R., McMullen, Langhorne and Rogers—8.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Concerning the accounts of jailers for supporting lunatics and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

On motion of Mr. Atkinson,

Resolved, That the 4th rule of the Senate be suspended for the purpose of reconsidering the bill, "Prescribing the mode of ascertaining certain subjects of taxation," which was to-day, as amended, passed by the Senate.

The Senate proceeded, accordingly, to reconsider the said bill; on motion of Mr. Atkinson, it was further amended, and, as amended, on the question put thereupon, again, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof, and request their concurrence in the amendments.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Concerning delinquent and forfeited lands west of the Alleghany mountains, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Preston, ordered to be laid upon the table.

Mr. Scott, from the committee of Internal Improvement, to whom was committed the bill, "Converting into stock the State's loan to sundry rail road companies, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Carter of R., ordered to be laid upon the table.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Authorising the James river and Kanawha company to increase their tolls, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. McMullen, ordered to be laid upon the table.

Mr. Rogers, from the committee to whom was committed the bill, "Regulating fishing on the Potomac river during certain months, and concerning obstructions to fishing on said river," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof. On motion of Mr. Newman,

The Senate then adjourned until to-morrow eleven o'clock.

FRIDAY, MARCH 24, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 23, 1843.

The House of Delegates have passed bills, entitled, "An act, giving the Circuit Superior Court of Henrico and the city of Richmond concurrent jurisdiction with the General Court in certain cases," No. 30; and, "An act, defining more clearly a part of the boundary line of the county of Marion, and for other purposes," No. 451.

And, have adopted a Resolution providing for the appointment of a Commissioner to prosecute the claims of Virginia against the United States for the amount due on account of money paid to the officers of the Virginia State line, which should have been paid at the Treasury of the United States: In which Bills and Resolution they request the concurrence of the Senate.

And their committee on Enrolled Bills have examined other bills; and found them truly enrolled, which are herewith communicated for further examination and signature.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The said Enrolled Bills, being delivered in, were referred to the committee appointed to examine them.

The bill, "Giving the Circuit Superior Court of Henrico and the city of Richmond concurrent jurisdiction with the General Court in certain cases," on motion, was read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "Defining more clearly a part of the boundary line of the county of Marion, and for other purposes," on motion, was, also, read the second time, and ordered to be committed to Messrs. Newman, Thompson and Shinn.

The bill, "Authorising the James river and Kanawha company to increase their tolls, and for other purposes," on motion of Mr. Cocke, was taken up.

Mr. McMullen offered an amendment to the said bill.

Mr. Woolfolk then moved that the previous question be now put.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 9. Noes 17.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Cocke, Carson, Woolfolk, Bouldin, Carter of C.C., Carter of R., Langhorne, Taylor and Rogers—9.

Noes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Peyton, Atkinson, Baptist, Piper, Preston, Penn, Moffett, Sloan, McMullen, Scott, Guerrant, McCauley and Newman—17.

The amendment proposed by Mr. McMullen, was withdrawn, with the leave of the Senate.

Mr. Cox moved to amend the 1st section of the said bill, by striking out from the word "exceeding," to the end of the section, and inserting in lieu thereof the words "an increase of forty per centum upon their present rate of tolls upon any article or commodity whatever."

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 6. Noes 21.

The ayes and noes, on that question, being required by Mr. Cox, seconded by Mr. Preston, were as follow:

Ayes—Messrs. Cox, Baptist, Piper, Penn, McCauley and Newman—6.

Noes—Messrs. Hunton (Speaker,) Campbell, Thornton, Cooke, Peyton, Carson, Atkinson, Woolfolk, Preston, Bouldin, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers and Thompson—21.

And, on the question being, then, put upon the said bill, it was passed by the Senate. Ayes 25. Noes 2.

The ayes and noes, on that question, being required by Mr. Peah, attended by Mr. Preston, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Thornton, Cooke, Peyton, Carson, Atkinson, Baptist, Woolfolk, Piper, Preston, Bouldin, Carter of C. C., Carter of R., Moffett, Sloan, McMullen, Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley, Newman and Thompson—25.

Noes—Messrs. Cox and Penn—2.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

Mr. Thompson, from the committee to whom was committed the bill, "To amend the act, entitled, an act, forming a new county out of part of the counties of Lewis, Kanawha and Nicholas," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, from the committee of Courts of Justice, to whom was committed the bill, "Giving the Circuit Superior Court of Henrico and the city of Richmond concurrent jurisdiction with the General Court in certain cases," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, also, from the same committee to whom was committed the bill, "Concerning receivers of stolen goods," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Peyton, was, also, amended, by inserting after the word "concerning," the words "larceny and."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Carter of C. C., from the committee to whom was committed the bill, "Concerning the Glebe and other funds of James City county," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. McMullen, ordered to be laid upon the table.

Mr. Newman, from the committee to whom was committed the bill, "Defining more clearly a part of the boundary line of the county of Marion, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, from the Committee of Courts of Justice, to whom was committed the bill, "Extending the jurisdiction of justices of the peace," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment was twice read.

Mr. Woolfolk then moved that the further consideration of the said bill and amendment be postponed indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 11. Noes 16.

The ayes and noes, on that question, being required by Mr. Carson, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Woolfolk, Preston, Carter of C. C., Carter of R., Langhorne, Rogers and Newman—11.

Noes—Messrs. Hunton (Speaker,) Cox, Carson, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley and Thompson—16.—On motion of Mr. Bouldin,

Ordered, That the said bill and amendment be laid upon the table.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Concerning sheriffs and other officers' commissions and attorneys fees on forthcoming bonds," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Thornton,

Ordered, That the said bill be laid upon the table.

Mr. Peyton, from the committee of Courts of Justice, to whom was committed the bill, "Authorising the investment of surplus income of infants in the purchase of real or personal estate, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Atkinson,

Ordered, That the said bill be laid upon the table.

On motion of Mr. Peyton,

The Senate then adjourned until to-morrow eleven o'clock.

SATURDAY, March 25, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 24, 1843,

The House of Delegates have passed bills, entitled, "An act, reviving and amending the act, incorporating the Clover Hill rail road company," No. 208; "An act, concerning separate elections in the counties of Montgomery, Wayne and Monongalia," No. 210; "An act, appointing commissioners to select a site for a new seat of justice for the county of Grayson," No. 260; "An act, appropriating the public revenue," No. 266; "An act, to prevent the destruction of oysters in North river," No. 189; "An act, for the relief of securities for costs, and for other purposes," No. 214; "An act, concerning the Public Square and the lot attached to the Government House," No. 233; and, "An act, regulating oaths from toll gatherers on works of Internal Improvement in which the State is interested, and further providing against frauds in the payment of tolls," No. 258: In which they request the concurrence of the Senate.

They agree to the amendments proposed by the Senate to the bill, entitled, "An act, concerning dams on streams improved by navigation companies," No. 167.

They agree to the first, second, third, fourth, fifth, seventh, eighth, ninth, tenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third and twenty-fourth amendments to the bill, entitled, "An act, imposing taxes for the support of Government," No. 287."

They disagree to the sixth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and twenty-fifth amendments to said bill.

And, they agree to the seventeenth and twenty-sixth amendments to said bill, with amendments thereto: In which they request the concurrence of the Senate.

And, have adopted a Resolution for rescinding the order for adjourning, on to-morrow, *sine die*: In which they, also, request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being delivered and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Atkinson inform the House of Delegates thereof.

The bill, "Appropriating the public revenue," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Regulating oaths from toll gatherers on works of Internal Improvement in which the State is interested, and further providing against frauds in the payment of tolls," on motion, was, also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "Concerning separate elections in the counties of Montgomery, Wayne and Monongalia," on motion, was, also, read the second time, and ordered to be committed to Messrs. Preston, Newman and Thompson.

The bill, "To prevent the destruction of oysters in North river," on motion, was, also, read the second time, and ordered to be committed to Messrs. Taylor, Langhorne and Carter of C. C.

The bill, "Reviving and amending the act, incorporating the Clover Hill rail road company," on motion, was, also, read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "For the relief of securities for costs, and for other purposes," on motion, was, also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Concerning the Public Square and the lot attached to the Government House," on motion, was, also, read the second time, and ordered to be committed to Messrs. Carter of C. C., Cox and Guerrant.

The bill, "Appointing commissioners to select a site for a new seat of justice for the county of Grayson," on motion, was also, read the second time, and ordered to be committed to Messrs. Piper, Preston and McCauley.

The Senate then proceeded to the consideration of the amendments to the bill, "Imposing taxes for the support of government."

Mr. Thornton offered the following Resolution.

Resolved, That the House of Delegates be requested to appoint a committee to meet a committee of the Senate in free conference on the difference subsisting between the two Houses, in relation to the amendments to the tax bill.

And, on the question being put thereupon, it was disagreed to by the Senate. Ayes 12. Noes 13.

The ayes and noes, on that question, being required by Mr. Thornton, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Thornton, Peyton, Carson, Bondurant, Preston, Carter of C. C., Carter of R., McMullen, Langhorne and Rogers—12.

Noes—Messrs. Campbell, Cocke, Atkinson, Baptist, Piper, Bouldin, Penn, Moffett, Sloan, Scott, Taylor, Guerrant and McCauley—13.

The Senate's 6th, 15th and 16th amendments to the said bill, to which the House of Delegates disagreed, on motions, severally made, were receded from by the Senate.

Mr. Preston moved that the Senate do recede from their 12th amendment, which proposed to strike out from the word "excess," in the 5th section, 9th line, to the word "on," in the 13th line, and to insert in lieu thereof the words "the value of all bonds, notes, deeds of trust, &c."

And, on the question put thereupon, it was agreed to by the Senate. Ayes 20. Noes 6.

The ayes on noes, on that question, being required by Mr. Preston, seconded by Mr. Peyton were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Campbell, Thornton, Cocke, Peyton, Baptist, Bondurant, Piper, Preston, Penn, Carter of C. C., Carter of R., Langhorne, Scott, Taylor, Guerrant, Rogers, McCauley and Thompson—20.

Noes—Messrs. Carson, Atkinson, Bouldin, Moffett, Sloan and McMullen—6.

Mr. Preston moved that the Senate insist on their 13th amendment, which proposed to strike out, in the 5th section, the words "on the dividends, or interest, or profits of all State bonds, or certificates of public debt of this Commonwealth."

And, on the question put thereupon, it was agreed to by the Senate. Ayes 18. Noes 8.

The ayes and noes, on that question, being required by Mr. Langhorne, seconded by Mr. Preston, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Carson, Baptist, Bondurant, Piper, Preston, Penn, Carter of C. C., Carter of R., Moffett, Sloan, Langhorne, Guerrant, Rogers and McCauley—18.

Noes—Messrs. Hunton (Speaker,) Cox, Atkinson, Bouldin, McMullen, Scott, Taylor and Thompson—8.

The 14th amendment, on motion of Mr. Preston, was insisted on by the Senate.

The 25th amendment, on motion of Mr. Cocke, was insisted on by the Senate.

The amendments proposed by the House of Delegates to the Senate's amendments to the said bill, being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That Mr. Atkinson inform the House of Delegates thereof.

The bill, "Concerning Samuel Houston and the administrator of John Sanderson, deceased," on motion of Mr. Bondurant, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motions of Mr. Carter, was amended, and, as amended, on the question put thereupon, passed by the Senate. Ayes 16. Noes 8.

The ayes and noes, on that question, being required by Mr. McMullen, seconded by Mr. Bondurant, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Cocke, Peyton, Carson, Baptist, Bondurant, Piper, Preston, Carter of C. C., Moffett, Sloan, Langhorne, Scott, Rogers and McCauley—16.

Noes—Messrs. Thornton, Atkinson, Bouldin, Penn, Carter of R., McMullen, Taylor and Guerrant—8.

Ordered, That Mr. Bondurant inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

The following message was received from the House of Delegates by Mr. Gallaher:

Mr. Speaker—The House of Delegates have passed the bills, entitled, An act, authorising the trustees of Randolph academy to sell a certain portion of the land of said academy.

An act, to authorise a separate election at the house of Thomas Knotts in the county of Kanawha.

An act, to amend an act, entitled, an act, for the benefit of the Western manufacturing company.

An act, to authorise a separate election at Tolson's mill in the county of Stafford.

An act, incorporating the trustees of Brandon academy.

An act, to amend the act, entitled, an act, to incorporate the town of Bowling Green, in the county of Caroline.

An act, concerning Michael Le Veste a free man of colour.

An act, providing for the re-valuation and assessment of a tract of land in the county of Greenbrier.

An act, to establish an inspection of tobacco at Curdsville in the county of Buckingham.

An act, changing the place for the training of the 154th regiment in the county of Tyler.

An act, reviving the act, entitled, an act, to authorise a ferry from Pungoteague creek in the county of Accomack, to Norfolk and other places, in favour of Lewis L. Snead and Nathaniel Topping.

An act, to amend an act, passed on the 13th of March, 1841, entitled, an act, to prevent the citizens of New York from carrying slaves out of this Commonwealth, and to prevent the escape of persons charged with the commission of any crime.

In which they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The bill, "To amend an act, to authorise a separate election at the house of Thomas Knotts of the county of Kanawha," on motion, was read the second time, and ordered to be committed to Messrs. Thompson, Newman and McCauley.

The bill, "Reviving the act, entitled, an act, to authorise a ferry from Pungoteague creek, in the county of Accomack, to Norfolk and other places, in favor of Lewis L. Snead and Nathaniel Topping," on motion, was also, read the second time, and ordered to be committed to Messrs. Langhorne, Carter of C. C. and Atkinson.

The bill, "To amend the act, entitled, an act, to incorporate the town of Bowling Green, in the county of Caroline," on motion, was, also, read the second time, and ordered to be committed to Messrs. Thornton, Taylor and Carter of R.

The bill, "Authorising the trustees of Rappahannock academy to sell a certain portion of the land of said academy," on motion, was, also, read the second time, and ordered to be committed to the same committee.

The bill, "To amend an act, entitled, an act, for the benefit of the Weyerston manufacturing company," on motion, was, also, read the second time, and ordered to be committed to Messrs. Rogers, Carson and Woolfolk.

The bill, "Concerning Michael Le Veste a free man of colour," on motion, was, also, read the second time, and ordered to be committed to Messrs. Langhorne, Atkinson and Carter of C. C.

The bill, "Providing for the revaluation and assessment of a tract of land in the county of Greenbrier," on motion, was, also, read the second time, and ordered to be committed to Messrs. Preston, McCauley and Piper.

The bill, "To authorise a separate election at Tolson's Mill, in the county of Stafford," on motion, was, also, read the second time, and ordered to be committed to Messrs. Carter of R., Rogers and Woolfolk.

The bill, "To establish an inspection of tobacco at Curdsville, in the county of Buckingham," on motion, was, also, read the second time, and ordered to be committed to Messrs. Bondurant, Cocke and Guerrant.

The bill, "To amend an act, passed on the 13th of March, 1841, entitled, an act, to prevent the citizens of New York from carrying

slaves out of this Commonwealth, and to prevent the escape of persons charged with the commission of crime," on motion, was, also, read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Incorporating the trustees of Brandon academy, on motion, was, also, read the second time, and ordered to be committed to Messrs. Sloan, Moffett and Carson.

The bill, "Changing the place for the training of the 154th Regiment, in the county of Tyler," on motion, was, also, read the second time, and ordered to be committed to Messrs. Newman, Thompson, and Shinn.

The following message was received from the House of Delegates by Mr. Brawner:

Mr. Speaker—The committee of the House of Delegates, appointed to examine the Enrolled Bills, have examined sundry other such bills, which, being found truly enrolled, are now sent to the Senate for further examination and signature.

The said Enrolled Bills, being delivered in, were referred to the committee appointed to examine them.

On motion of Mr. Bouldin,

Resolved, by the General Assembly, That the Librarian is hereby authorized to contract with B. W. Leigh, for the purchase of the 12th volume of his reports; provided, he does not give more than is now authorized to be paid to the Reporter of the Court of Appeals.

Resolved, That the Librarian shall hereafter cause the Reports of cases decided in the Court of Appeals, to be bound in sheep skin, except the volumes deposited in the public library, for use in the same.

Ordered, That the Clerk inform the House of Delegates of the agreement of the Senate to the said Resolutions, and request their concurrence therein.

The bill, "Converting into stock the States' loans to sundry rail road companies," on motion of Mr. Langhorne, was taken up.

The said bill, on motion of Mr. Atkinson, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Langhorne inform the House of Delegates thereof, and request their concurrence in the amendment.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 25, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bill, entitled, "An act, concerning receivers of stolen goods;" No. 164.

They recede from their disagreement to the eleventh and twenty-fifth amendments to the bill, entitled, "An act, imposing taxes for the support of government," No. 237; and agree to the same: And insist upon their disagreement to the thirteenth and fourteenth amendments to said bill.

On motion of Mr. Bouldin,

Resolved, That a committee of full and free conference be appointed to take into consideration the differences between the two Houses, on the tax bill.

Ordered, That Mr. Langhorne inform the House of Delegates of the agreement of the Senate to the said Resolution, and request their concurrence therein.

Mr. Taylor, from the committee to whom was committed the bill, "To prevent the destruction of Oysters in North river," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Regulating oaths from toll-gathers on works of Internal Improvement in which the State is interested, and further providing against frauds in the payment of tolls," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Preston, from the committee to whom was committed the bill, "Concerning separate elections in the counties of Montgomery, Wayne and Moungalia," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To authorise the investment of the surplus income of infants in the purchase of real or personal estate, and for other purposes," on motion of Mr. Atkinson, was taken up.

The said bill, on motion of Mr. Atkinson, was amended, and, as amended, ordered to be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Atkinson, was, also, amended, by striking out from the word "infants" (inclusive) to the end, and inserting in lieu thereof the words "William Allen in real estate."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

The following message was received from the House of Delegates by Mr. Randolph:

Mr. Speaker,—The House of Delegates have agreed to the Resolution for the appointment of a committee of conference in relation to the difference between the two Houses, on the tax bill; and have appointed a committee on their part.

Mr. Preston, from the committee to whom was committed the bill, "Providing for the valuation and assessment of a tract of land in the

county of Greenbrier," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put upon the passage thereof, was rejected by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Bondurant, from the committee to whom was committed the bill, "To establish an inspection of tobacco at Curdsville, in the county of Buckingham," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Extending the jurisdiction of justices of the peace," on motion of Mr. McMullen, was taken up.

Mr. Atkinson offered an amendment to the amendment reported by the committee to the said bill.

Mr. Thornton then moved that the further consideration of the said bill and amendments, be postponed indefinitely.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 10. Noes 13.

The ayes and noes, on that question, being required by Mr. Atkinson, seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Bondurant, Preston, Carter of C. C., Carter of R., Langhorne and Rogers—10.

Noes—Messrs. Hunton (Speaker,) Carson, Atkinson, Baptist, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, McCauley and Thompson—13.

On motion of Mr. Thornton,

The Senate then adjourned until Monday next eleven o'clock.



MONDAY, MARCH 27, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 25, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act, converting into stock the States' loan to sundry rail road companies, and for other purposes," No. 15; and, "An act, concerning Samuel Houston, and the administrator of John Saunderson, deceased," No. 59.

Ordered, That Messrs. Thornton, Piper, Atkinson, Preston and Sloan be appointed a committee to meet a committee of the House of Delegates in full and free conference in relation to the amendments to the tax bill.

Ordered, That Mr. Thornton inform the House of Delegates thereof.

The following message was received from the House of Delegates by Mr. Brawner:

Mr. Speaker,—The committee of the House of Delegates appointed to examine the enrolled bills have examined sundry other such bills, which, being found truly enrolled, are sent to the Senate for further examination and signature.

The said enrolled bills, being delivered in were referred to the committee appointed to examine them.

Mr. Bouldin, from the committee of General Laws, to whom was committed the bill, "Appropriating the Public Revenue," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers and regulating the collection thereof," on motion of Mr. Bouldin, was taken up.

The said bill, on motion of Mr. Bouldin, was amended; and, as amended, ordered to be read a third time.

The bill, as amended, was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Bouldin inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. McMullen offered the following Resolution:

Resolved, by the General Assembly of Virginia, That the salaries of the President of the James River and Kanawha company ought to be reduced to \$2600, and the salary of the Secretary of said company to the sum of \$1800; and the proxies of the State are hereby instructed to introduce a proposition and vote for said reduction.

And, on the question being then put upon the said Resolution it was agreed to by the Senate.

Ordered, That Mr. McMullen inform the House of Delegates thereof, and request their concurrence therein.

Mr. Thompson, from the committee to whom was committed the bill, "To authorise a separate election at the house of Thomas Knotts in the county of Kanawha," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Thompson, was, also, amended, by striking out from the word "Act," and inserting in lieu thereof the words "to establish two separate elections in the county of Kanawha."

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Guerrant, from the committee appointed to examine the enrolled bills, reported that the committee had, according to order, examined sundry other such bills, which were found truly enrolled.

The Speaker then signed the following enrolled bills:—

- An act, establishing the county of Barbour out of part of the counties of Harrison Lewis and Wood.
- An act, concerning the lien of Judgments.
- An act, concerning Jailors' fees.
- An act, changing the time of holding the Circuit Superior Court of the Fall quarterly term of the county of Charlotte.
- An act, concerning the bonds of public officers and others.
- An act, to authorise the opening of a new street near the lot of Thomas B. Bond in that part of the town of Petersburg called Gillfield.
- An act, authorising the school commissioners of Pocahontas to pay one year's quota of said county from the Literary fund to the trustees of Little Jewels academy.
- An act, authorising the removal of certain slaves therein mentioned held for life, to the State of Maryland.
- An act, concerning the school commissioners of Hardy county.
- An act, for arranging the counties of this Commonwealth into districts to choose Representatives to Congress.
- An act, to change the time of holding the Spring term of the Circuit Superior Court of law and chancery for the county of Southampton.
- An act, amending the act, passed the 17th February, 1827, and 17th March, 1840-41, concerning divorces.
- An act, authorising a payment to Christopher C. Dillard from the school quota of Nelson county, for 1843.
- An act, concerning the Branch Coal Mining Company.
- An act, to regulate certain fees for culling and inspecting lumber in the City of Richmond.
- An act, concerning the duties of executors, administrators and curators.
- An act, providing for the appointment of a superintendent of the Prices turnpike and Cumberland Gap road, and for other purposes.
- An act, releasing the militia of Wayne county from the payment of fines on them in 1842, for failing to attend the training and regimental muster in Cabell county.
- An act, for the relief of securities in forthcoming bonds in cases of injunction.
- An act, to authorise the re-construction of the turnpike road from the Sweet Springs to the White Sulphur Springs.
- An act, divorcing Elizabeth C. Hutchings from her husband David W. Hutchings.
- An act, authorising the sale and conveyance of a house and lot at Charlotte courthouse of which Martin Hart, died, seized and possessed.
- An act, changing the time of accounting for the taxes on licences to merchants and others.
- An act, to amend the act, entitled, an act, reducing into one the several acts prescribing the mode of ascertaining the taxable property within the Commonwealth and of collecting the public revenue.
- An act, incorporating the Fairmont and Palatine bridge company.
- An act, authorising a payment to Nicholas Dillard by the school commissioners of Pittsylvania from the quota of 1843, and concerning the school commissioners of Fluvanna county.
- An act, to amend an act, entitled, an act, to incorporate the Lexington and Rockingham county Savings Institution, and the Elizabeth town Savings Institution in the county of Ohio, passed March 3, 1834.
- An act, to incorporate the Powell's Hotel company in the town of Petersburg.
- An act, incorporating the Hecla manufacturing company in the town of Fredericksburg.
- An act, releasing the Commonwealth's right to a certain lot of land therein mentioned to Mary Roper.
- An act, to amend an act, entitled, an act, incorporating the stockholders of the Richmond, Fredericksburg and Potomac rail road company.
- An act, concerning the Rivanna navigation company.
- An act, extending the conditions and restrictions imposed on country merchants, retailing ardent spirits to merchants retailing the same within incorporated towns.
- An act, incorporating the New Creek turnpike company.

An act, establishing a new system for the training and mustering of the 25th regiment, and for the militia of this Commonwealth.

An act, in relation to confessions of judgments, growing crops and writs of capias.

An act, concerning the weighing of live stock brought to the City of Richmond.

An act, concerning the administrator of Valentine Thomas Dalton, deceased.

An act, changing the location of the White and Salt Sulphur Springs turnpike road passing through the town of Union in the county of Monroe.

An act, to incorporate the Augusta Savings Institution.

An act, changing the company of artillery attached to the 46th regiment to a company of Light infantry.

An act, to construct a press for the first Auditor's office.

An act, to provide for the opening and repairing of public roads, and for building and repairing bridges in the county of Brooke.—And,

An act, extending the provisions of the act of the 9th of March, 1840, authorising John Whitaker to erect a toll bridge across Peak creek in the county of Pulaski.—44

Ordered, That the Clerk inform the House of Delegates thereof, and return the said bills to that House.

The following message was received from the House of Delegates by Mr. Banks:

Mr. Speaker,—The House of Delegates have passed the bills, entitled, "An act, concerning the plan of trial of certain prosecutions for misdemeanors," No. 229; "An act, authorising William S. Belomy to establish a ferry across the Big Sandy river," "An act, authorising a change in the location of part of the Kanawha turnpike, and concerning the tolls on that of the Guyandotte turnpike," No. 245; "An act, to amend an act, entitled, an act, further to prohibit injuries to rail roads and other property of rail road companies," No. 244; "An act, authorising the raising of a company of Artillery in the counties of Campbell, Buckingham and Amherst," No. 242; "An act, to change the time of holding the annual meetings of the Bell Isle manufacturing company, and for other purposes," No. 232; "An act, to establish the town of Flint Hill, in the county of Rappahannock," "An act, authorising a sale of a tract of land of which Peter Lescure died seized," No. 256; "An act, to incorporate the Upper Appomattox and City Point rail road company," No. 235; "An act, changing the terms of certain superior courts of law and chancery," "An act, to authorise the appointment of two commissioners of the revenue for the county of Prince William," No. 257; "An act, prescribing a limitation to claims and suits against the Commonwealth, and for other purposes," No. 258; "An act, concerning the appointment of Directors of the Bank of the Valley in Virginia," No. 255; "An act, allowing five years further time to the Giles, Fayette and Kanawha turnpike company to complete their road," No. 252; "An act, to prevent free negroes and mulattoes in the county of Accomack from selling agricultural products without a certificate," No. 266; "An act, to prevent the transportation of oysters from the waters of James and Nansemond rivers within certain periods," No. 264; "An act, to authorise the citizens of Accomack to catch and carry away Oysters from the waters of that county for a limited period, and for other purposes," No. 263; "An act, concerning John Blattenbury of Brooke county," No. 259; "An act, to repeal the act, entitled, an act, to amend and reduce into one act, several acts now in force for regulating the inspection of flour, Indian meal and bread," No. 262; "An act,

to incorporate the Tazewell sulphur springs company, and for other purposes," No. 261; "An act, providing for the refunding to John A. Truslow the sum of fifty-eight dollars and twenty cents by the Auditor of Public Accounts," No. 271; "An act, abolishing the office of Chief Engineer of the State," No. 269; "An act, changing the place of holding a separate election, from the House of Benjamin Webb to that of Alexander Lowther, in the county of Ritchie," No. 250; "An act, to provide for the payment of the temporary loan of the Commonwealth," No. 270, and, "An act, amending the act, passed the 18th of November, 1789, entitled, an act, against those who counterfeited letters and privy tokens to receive money in other men's names," No. 163.

And they have agreed to the Resolution relative to the plates from which the Maps of Virginia have been struck: In which Bills and Resolution, they request the concurrence of the Senate.

The said bills, being delivered in, were read the first, and ordered to be read a second time.

The said Resolution, being, also, delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Atkinson inform the House of Delegates thereof, Mr. Moffett, from the committee to whom was committed the bill, "Incorporating the trustees of Brownville academy," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Rogers, from the committee to whom was committed the bill, "To amend an act, entitled, an act, for the benefit of the Weynton manufacturing company, passed February 10th, 1841," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put upon the passage thereof, was rejected by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Reviving and amending the act, incorporating the Clover Hill rail road company," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The title, on motion of Mr. Cocke, was, also, amended, by adding at the end, the words "and for other purposes."

Ordered, That Mr. McMullen inform the House of Delegates thereof, and request their concurrence in the amendments.

Mr. Carter of R., from the committee to whom was committed the bill, "To authorise a separate election at Tolson's Mill, in the county of Stafford," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Carter of R., also, from the committee to whom was committed the bill, "Authorising the trustees of Rappahannock academy to sell a certain portion of the land of said academy," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Thompson, from the committee to whom was committed the bill, "Changing the place for training the officers of the 154th Regiment in the county of Tyler," reported that the committee had, according to order, taken the said bill under consideration, and made several amendments thereto, which he delivered in with the bill.

The amendments being twice read, on the questions put thereupon, were agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Thompson, was, also, amended, by striking out from "154," to the end, and inserting in lieu thereof the words "and 153d Regiment."

Ordered, That Mr. McMullen inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Rogers, from the committee to whom was committed the bill, "Providing for the correction of an error in the assessment of a certain tract of land in the county of Loudoun," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "For the relief of securities for costs, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Peyton,

Ordered, That the said bill be laid upon the table.

The bill, "To authorize the appointment of two commissioners of the revenue for the county of Prince William," on motion, was read the second time, and ordered to be committed to Messrs. Rogers, Carter of R. and Woolfolk.

The bill, "To prevent the transportation of oysters from the waters of James and Nansemond rivers within certain periods," on motion, was, also, read the second time, and ordered to be read a third time.

On motion, it was read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Authorising the raising of a company of Artillery in the counties of Campbell, Buckingham and Amherst," on motion, was read the second time, and ordered to be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To provide for the payment of the temporary loan of the Commonwealth," on motion, was read the second, and ordered to be read a third time.

On motion, it was read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Changing the terms of certain superior courts of law and chancery," on motion, was read the second time, and ordered to be committed to Messrs. Scott, Atkinson and Bouldin.

The bill, "To authorize the citizens of Accomack to catch and carry away oysters from the waters of that county for a limited period, and for other purposes," on motion, was, also, read the second time, and ordered to be committed to Messrs. Taylor, Carter of C. C. and Carter of R.

The bill, "Concerning John Blattenbury of Brooke county," on motion, was, also, read the second time, and ordered to be committed to the committee of Claims.

The bill, "To establish the town of Flint Hill, in the county of Rappahannock," on motion, was read the second time, and ordered to be read a third time.

On motion, it was read the third time, and on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To repeal the act, entitled, an act, to amend and reduce into one act, the several acts now in force for regulating the inspection of flour, indian meal and bread," on motion, was read the second time, and ordered to be committed to the committee of General Laws.

The bill, "Concerning the appointment of Directors of the Bank of the Valley in Virginia," on motion, was, also, read the second time, and ordered to be committed to Messrs. Rogers, Carson and Sloan.

The bill, "To incorporate the Upper Appomattox and City Point rail road company," on motion, was, also, read the second time; and, on motion, ordered to be read a third time.

On motion, it was read the third time; on motion of Mr. Cox, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That Mr. McMullen inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Taylor, from the committee to whom was committed the bill, "To prevent free negroes and mulattoes in the county of Accomack, from selling agricultural products without a certificate," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on motion of Mr. Carter of R., was amended, and, as amended, on the question put thereupon, passed by the Senate.

The title of the said bill, on motion of Mr. Carter of R., was, also, amended by adding after the word "Accomack," the words "and in the county of Richmond."

Ordered, That Mr. McMullen inform the House of Delegates thereof, and request their concurrence in the amendments.

The bill, "Prescribing a limitation to claims and suits against the Commonwealth, and for other purposes," on motion, was read the second, and ordered to be read a third time.

On motion, it was read the third time, and, on motion of Mr. Cocke, ordered to be laid upon the table.

The bill, "To amend an act, entitled, an act, further to prohibit injuries to rail roads and other property of rail road companies," on motion, was read the second time, and ordered to be committed to the committee of Internal Improvement.

The bill, "Allowing five years further time to the Giles, Fayette and Kanawha turnpike company to complete their road," on motion, was, also, read the second time, and ordered to be committed to the same committee.

The bill, "Authorising a change in the location of part of the Kanawha turnpike, and concerning the tolls on that and the Guyandotte turnpike," on motion, was, also, read the second time, and ordered to be committed to the same committee.

The bill, "To change the time of holding the annual meetings of the Belle Isle manufacturing company, and for other purposes," on motion, was, also, read the second time, and ordered to be committed to Messrs. Carter of C. C., Cox and Guerrant.

The bill, "Abolishing the office of Chief Engineer of the State," on motion, was, also, read the second time and ordered to be committed to the committee of General Laws.

The bill, "Amending the act passed the 18th of November, 1789, entitled, an act against those who counterfeit letters and privy tokens to receive money in other men's names," on motion, was, also, read the second time, and ordered to be committed to the committee of Courts of Justice.

Mr. Taylor, from the committee to whom was committed the bill, "To authorise the citizens of Accomack to catch and carry away

oysters from the waters of that county for a limited period, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "To incorporate the Tazewell Sulphur Springs cunphay, and for other purposes," on motion, was, also, read the second time, and ordered to be committed to Messrs. Piper, Preston and McCauley.

Mr. Carter of C. C., from the committee to whom was committed the bill, "Concerning the public square and the lot attached to the government house," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Concerning the place of trial of certain prosecutions for misdemeanors," on motion, was read the second time, and ordered to be committed to the committee of Courts of Justice.

The bill, "Authorising a sale of a tract of land of which Peter Leseur died seized," on motion, was, also, read the second time, and ordered to be committed to Messrs. Bondurant, Cocke and Woolfolk.

Mr. Rogers, from the committee to whom was committed the bill, "To authorise the appointment of two commissioners of the revenue in the county of Prince William," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put upon thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, from the committee of Courts of Justice, to whom was committed the bill, "Amending the act passed the eighteenth of November, 1789, entitled, an act, against those who counterfeit letters and privy tokens to receive money in other men's names," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On his motion,

Ordered, That the said bill be laid upon the table.

The bill, "Authorising William S. Belomy to establish a ferry across the Big Sandy river, on motion, was read the second time, and ordered to be read a third time.

On motion, it was read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Carter of C. C., from the committee to whom was committed the bill, "To change the time of holding the annual meetings of the

Belle Isle manufacturing company, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Rogers, from the committee to whom was committed the bill, "Concerning the appointment of Directors of the Bank of the Valley, in Virginia," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Changing the place of holding a separate election from the house of Benjamin Webb to that of Alexander Lowther, in the county of Ritchie," on motion, was read the second time, and on motion, ordered to be read a third time.

On motion, it was read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Peyton, from the committee of Courts of Justice, to whom was committed the bill, "Concerning the place of trial of certain prosecutions for misdemeanors," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment was read, and, on motion of Mr. Carter of R., the bill and amendment were ordered to be laid upon the table.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Authorising a change in the location of part of the Kanawha turnpike, and concerning the tolls on that of the Guyandotte turnpike," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment was twice read, and, on motion of Mr. Cocke, the bill and amendment were ordered to be laid upon the table.

Mr. Carter, from the committee to whom was committed the bill, "To amend the act, entitled, an act, to incorporate the town of Bowling Green, in the county of Caroline," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time; and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The bill, "Providing for the refunding to John A. Truslow the sum of fifty-eight dollars and twenty cents by the Auditor of Public Accounts," on motion, was read the second time, and ordered to be committed to the Committee of Claims.

Mr. Cocke, from the committee of Internal Improvement, to whom was committed the bill, "Allowing five years further time to the Giles, Fayette and Kanawha company to complete their road," reported that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Cocke, from the same committee, to whom was committed the bill, "To amend an act, entitled, an act, further to prohibit injuries to railroads and other property of rail road companies," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the Joint Committee appointed to examine the bonds of public officers, made the following report, which, on his motion, was ordered to be laid upon the table:

The Joint Committee appointed to examine the bonds of the public officers, have performed that duty, and beg leave most respectfully to report, that the bonds executed (under the late elections) by the First Auditor, Second Auditor, Treasurer, Register of the Land Office, Superintendent of the Penitentiary, General Agent and Storekeeper of the Penitentiary, Librarian, and Public Printer, are in the form and manner required by law; they have been approved by the Attorney General and accepted by the Governor.

A. ATKINSON,

Chairman on the part of the Senate

R. T. LACY,

Chairman on the part of the House of Delegates.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Abolishing the office of Chief Engineer of the State," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate. Ayes 20. Noes 7.

The ayes and noes, on that question, being required by Mr. Newman, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Hinton (Speaker,) Cox, Campbell, Cocke, Carson, Atkinson, Baptist, Bondurant, Woolfolk, Bouldin, Penn, Moffett, Sloan, McMullen, Scott, Taylor, Guerrant, Rogers, McCauley and Newman—20.

Noes—Messrs. Thornton, Peyton, Piper, Preston, Carter of C. C., Carter of R. and Thompson—7.

Ordered, That the Clerk inform the House of Delegates of the passage of the said bill.

Mr. Atkinson, also, from the same committee to whom was committed the bill, "To repeal the act, entitled; an act, to amend and reduce into one act, the several acts now in force for regulating the inspection of flour, Indian meal and bread," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time; Mr. Cocke then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, also, from the same committee to whom was committed the bill, "To amend an act, passed on the 13th of March, 1841, entitled, an act, to prevent the citizens of New York from carrying slaves out of this Commonwealth, and to prevent the escape of persons charged with the commission of crime," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Bondurant, from the committee to whom was committed the bill, "Authorising a sale of a tract of land of which Peter Lescure died seized," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time.

Mr. Preston then moved that the further consideration of the said bill be postponed indefinitely.

And, on the question put thereupon, it was agreed to by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee, to whom was committed the bill, "Changing the terms of certain superior courts of law and chancery," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Atkinson inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. Carter of C. C., from the committee to whom was committed the bill, "Reviving the act, entitled, an act, to authorise a ferry from Rungeague creek, in the county of Accomack, to Norfolk and other places, in favor of Lewis L. Snead and Nathaniel Topping," reported

that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Thornton, from the committee appointed by the Senate, to meet a committee from the House of Delegates, in full and free conference on the matters of difference between the two Houses in relation to the tax bill, made the following report:

The Committee of Conference, appointed by the two Houses, have, according to order, met in full and free conference on the matters of difference between the two Houses on the tax bill, whereupon, the committee on the part of the Senate adopted a resolution respectfully requesting the committee on the part of the House of Delegates, to recommend to their House to recede from the disagreement to the amendments of the Senate. This proposition the committee on the part of the House declined. The Senate's committee then offered to the committee of the House of Delegates the following proposition: "That the committee on the part of the House of Delegates be respectfully requested to concur with the committee of the Senate, in recommending to their respective Houses, to strike from the bill that part which proposes a tax on the dividends, interest or profits of all State bonds or certificates of public debt of this Commonwealth," and insert in lieu thereof "on all devises, and inheritances of real estate, accruing to other than lineal heirs of the testator or intestate, there shall be levied; collected and paid, two per cent. upon the value thereof; and all pecuniary or other legacies and bequests and distributive shares of personal property bequeathed to others than the lineal kindred of the testator or the intestate, the tax of two per cent. on such legacy, bequest or distributive share." This proposition the committee, on the part of the House, likewise declined, and the committee on the part of the Senate then announced to the committee of the House that they had no further proposition to submit. Whereupon, the House committee communicated to the Senate committee that they had no proposition to submit on their part, and, the committees being unable to agree on any proposition of compromise to their respective Houses, agreed to adjourn. All which is respectfully reported:

JAMES B. THORNTON, Jr. C. C. S.

THOS. J. RANDOLPH, C. O. H. D.

The said report being read,

Mr. Preston moved that the Senate do adhere to their 13th and 14th amendments.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 11. Noes 15.

The ayes and noes, on that question, being required by Mr. Carter of R., seconded by Mr. Preston, were as follow:

Ayes—Messrs. Campbell, Thornton, Cocke, Peyton, Baptist, Bondurant, Preston, Carter of C. C., Carter of R., Sloan and Rogers—11.

Noes—Messrs. Hunton (Speaker,) Cox, Atkinson, Woolfolk, Piper, Bouldin, Penn, Moffett, McMullen, Scott, Taylor, Guerrant, McCauley, Newman and Thompson—15.

Mr. Woolfolk then moved that the Senate do *recede* from their 13th and 14th amendments.

And, on the question put thereupon, it was agreed to by the Senate. Ayes 15. Noes 11.

The ayes and noes, on that question, being required by Mr. Cocke, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Hunton (Speaker,) Cox, Atkinson, Woolfolk, Piper, Bouldin, Penn, Moffett, McMullen, Scott, Guerrant, Rogers, McCauley, Newman and Thompson—15.

Noes—Messrs. Campbell, Thornton, Cocke, Peyton, Baptist, Bondurant, Preston, Carter of C. C., Carter of R., Sloan and Taylor—11.

Ordered, That Mr. Atkinson inform the House of Delegates that the Senate recede from their 13th and 14th amendments to the bill, "Imposing taxes for the support of government."

On motion of Mr. Preston,

The Senate then adjourned until to-morrow eleven o'clock.

TUESDAY, MARCH 28, 1843.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 27, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act to authorise the investment of the surplus income of infants in the purchase of real or personal estate, and for other purposes," No. 98; "An act, to ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers, and regulating the collection thereof," No. 163; "An act, to incorporate the Upper Appomattox and City Point rail road company," No. 235; "An act, reviving and amending an act, incorporating the Clover Hill rail road company; "An act, changing the place for the training of officers of the 154th regiment, in the county of Tyler," No. 218; "An act, to prevent free negroes and mulattoes in the county of Accomack from selling agricultural products without a certificate," No. 266; "An act, to authorise a separate election at the house of Thomas Knotts, in the county of Kanawha," No. 226; and, "An act, changing the terms of certain Circuit Superior Courts of Law and Chancery," No. 230; and they agree, also, to the Resolution concerning the salaries of the President and Secretary of the James river and Kanawha company.

The following communication was received from the House of Delegates by Mr. Watts:

Mr. Speaker—The House of Delegates have passed the bill, entitled, "An act, to amend the act, converting into stock the State's loan to sundry rail road companies, and for other purposes." In which they request the concurrence of the Senate.

The said bill, being delivered in, was read the first, and ordered to be read a second time.

On motion, it was read the second time, and ordered to be read a third time.

On motion, it was read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

The following message was received from the House of Delegates by Mr. Brawner:

Mr. Speaker,—The committee of the House of Delegates appointed to examine the enrolled bills have examined sundry other such bills, which, being found truly enrolled, are now sent to the Senate for further examination and signature.

The said enrolled bills, being delivered in were referred to the committee appointed to examine them.

The following message was received from the House of Delegates by Mr. Gallaher:

Mr. Speaker,—The House of Delegates have agreed to a Resolution to adjourn on to-day, *sine die* in which they request the concurrence of the Senate.

The said Resolution, being delivered in and twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That Mr. Preston inform the House of Delegates thereof.

The following message was received from the House of Delegates by Mr. Randolph:

Mr. Speaker,—the House of Delegates have agreed to the 1st, 2d, 3d, 6th, 7th, 8th, 9th, 10th, 14th and 16th amendments proposed by the Senate to the bill, entitled, "An act, prescribing the mode of ascertaining certain subjects of taxation," and have disagreed to the Senate's 4th, 5th, 11th, 12th, 13th and 15th amendments to the said bill.

The said bill and amendments being delivered in, on motion of Mr. Atkinson, were ordered to be committed to the committee of General Laws.

On motion of Mr. Carter of R.,

Resolved, That when the Senate adjourns on this day, it will, with the consent of the House of Delegates, adjourn until the first Monday in December next.

Ordered, That Mr. Preston inform the House of Delegates of the agreement of the Senate to the said Resolution, and request their concurrence therein.

The bill, "Concerning delinquent and forfeited lands west of the Alleghany mountains, and for other purposes," on motion of Mr. Newman, was taken up.

Mr. Preston moved to amend the said bill, by striking out the 4th section, which was as follows:

Be it further enacted, That in all writs of right and other actions possessory hereafter to be brought to recover the seizin or possession of any lands lying west of the Alleghany mountain, any person may maintain a suit of right, or other possessory action, upon the possession or seizin of his ancestor or predecessor, within ten years next before the teste of the writ; but no person shall maintain a real action upon his own possession or seizin, but within seven years next before the teste of the writ: *Provided*, That if any person who is, or

shall be entitled to any real action upon his or her own seizin or possession, were, or shall be under the age of twenty-one years, *feme covert*, imprisoned, or *non compos mentis*, at the time such action accrued or shall accrue, every such person shall and may, notwithstanding the said seven years are or shall be expired, bring and maintain such real action within three years after such disabilities are removed, and not afterwards: *Provided, nevertheless*, That the provisions of this act shall not extend to, or be applied to any suit now pending, or which may be commenced within two years from the passage of this act, but in all such suits the limitation thereof shall remain as though this act had not been passed."

And, on the question being put upon the said proposed amendment, it was agreed to by the Senate. Ayes 14. Noes 10.

The ayes and noes, on that question, being required by Mr. Thornton, seconded by Mr. Woolfolk, were as follow:

Ayes—Messrs. Cox, Campbell, Thornton, Cocke, Peyton, Baptist, Bondurant, Woolfolk, Preston, Penn, Carter of C. C., Carter of R., Guerrant and McCauley—14.

Noes—Messrs. Hunton (Speaker,) Atkinson, Piper, Bouldin, Moffett, Sloan, McMullen, Scott, Newnan and Thompson—10.

The said bill, on motion of Mr. Preston, was further amended, by striking out the 5th section.

And, on the question being then put upon the said bill as amended, it was passed by the Senate.

Ordered, That Mr. Preston inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "Authorising a change in the location of part of the Kanawha turnpike, and concerning the tolls on that of the Guyandotte turnpike," on motion of Mr. Cocke, was taken up.

The amendment reported to the said bill on yesterday, on motion of Mr. Cocke, was withdrawn by consent of the Senate.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Atkinson, from the committee of General Laws, to whom was committed the bill, "Prescribing the mode of ascertaining certain subjects of taxation," with the amendments, reported that the committee had, according to order, taken the amendments disagreed to by the House of Delegates, under consideration, and made no amendment thereto.

On motion of Mr. Atkinson,

The Senate, on the questions put thereupon, receded from their amendments to the said bill to which the House of Delegates disagreed.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Piper, from the committee to whom was committed the bill, "Appointing commissioners to select a site for a new seat of justice for the county of Grayson," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate. Ayes 12. Noes 5.

The ayes and noes, on that question, being required by Mr. Cocke, seconded by Mr. Piper, were as follow:

Ayes—Messrs. Hunton (Speaker,) Peyton, Atkinson, Bondurant, Piper, Bouldin, Carter of R., McMullen, Guerrant, McCauley, Newman and Rogers—12.

Noes—Messrs. Campbell, Cocke, Woolfolk, Carter of C. C. and Sloan—5.

The bill, "Prescribing a limitation to claims and suits against the Commonwealth, and for other purposes," on motion of Mr. Boukfin, was taken up.

The said bill, on motions of Messrs. Peyton and Preston, was amended; and, as amended, on the question put thereupon, passed by the Senate. Ayes 16. Noes 5.

The ayes and noes, on that question, being required by Mr. Peyton, seconded by Mr. Bouldin, were as follow:

Ayes—Messrs. Hunton (Speaker,) Campbell, Atkinson, Baptist, Woolfolk, Piper, Preston, Bouldin, Carter of R., Moffett, Sloan, McMullen, Scott, Guerrant, McCauley and Newman—16.

Noes—Messrs. Thornton, Cocke, Peyton, Carter of C. C. and Thompson—5.

Ordered, That Mr. Preston inform the House of Delegates of the passage of the said bill, and request their concurrence in the amendments.

Mr. Atkinson, from the committee to whom was committed the bill, "Concerning Michael La-Veste, a free man of colour," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

On motion of Mr. Atkinson,

Ordered, That the further consideration of the said bill be postponed indefinitely.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Piper, from the committee to whom was committed the bill, "To incorporate the Tazewell White Sulphur Springs company, and for other purposes," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. McMullen, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Preston inform the House of Delegates thereof, and request their concurrence in the amendment.

Mr. McMullen moved that the bill, "Extending the jurisdiction of justices of the peace," be now taken up.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 15.

The ayes and noes, on that question, being required by Mr. Thornton, seconded by Mr. McMullen, were as follow:

Ayes—Messrs. Hunton (Speaker,) Atkinson, Baptist, Piper, Moffett, Sloan, McCauley and Newman—8.

Noes—Messrs. Cox, Campbell, Thornton, Cocke, Peyton, Bondurant, Woolfolk, Preston, Bouldin, Penn, Carter of C. C., Carter of R., Scott, Guerrant and Thompson—15.

The bill, "For the relief of securities for costs, and for other purposes," on motion of Mr. Atkinson, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on this question put thereupon, passed by the Senate.

Ordered, That Mr. Preston inform the House of Delegates thereof.

Mr. Carter of R., from the committee of Claims, to whom was committed the bill, "Providing for the refunding to John A. Truslow, the sum of fifty-eight dollars and twenty cents by the Auditor of Public Accounts," reported that the committee had, according to order, taken the said bill under consideration, and made no amendment thereto.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Preston inform the House of Delegates thereof.

Mr. Carter of R., also, from the same committee, to whom was committed the bill, "Concerning John Blattenbury of Brooke county," reported that the committee had, according to order, taken the said bill under consideration, and made an amendment thereto, which he delivered in with the bill.

The amendment, being twice read, on the question put thereupon, was agreed to by the Senate.

Ordered, That the said bill, as amended, be read a third time.

The bill, as amended, was accordingly, read the third time, and, on the question put thereupon, passed by the Senate.

Ordered, That Mr. Preston inform the House of Delegates thereof, and request their concurrence in the amendment.

The bill, "Concerning Sheriffs and other commissions and Attorneys fees on forthcoming bonds," on motion of Mr. Atkinson, was taken up.

Ordered, That the said bill be read a third time.

The bill was, accordingly, read the third time, on motion of Mr. Atkinson, was amended, and, as amended, on the question put thereupon, passed by the Senate.

Ordered, That the Clerk inform the House of Delegates thereof.

Mr. Carter of C. C., moved that the bill, "Restricting the banks in the issue of small notes, be now taken up.

And, on the question put thereupon, it was disagreed to by the Senate. Ayes 8. Noes 13.

The ayes and noes, on that question, being required by Mr. Carter of C. C., seconded by Mr. Thornton, were as follow:

Ayes—Messrs. Cocke, Peyton, Carson, Bondurant, Piper, Preston, Carter of C. C. and Carter of R.—8.

Noes—Messrs. Hunton (Speaker,) Cox, Thornton, Woolfolk, Bouldin, Penn, Moffett, Sloan, Scott, Guerrant, McCauley, Newman and Thompson—13.

The following message was received from the House of Delegates by Mr. Brawner:

Mr. Speaker,—The committee of the House of Delegates, appointed to examine the Enrolled Bills have examined sundry other such bills, which, being found truly enrolled, are now sent to the Senate for further examination and signature.

The said Enrolled Bills, being delivered in, were referred to the committee appointed to examine them.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 28, 1843.

The House of Delegates agree to the amendments proposed by the Senate to the bills, entitled, "An act, prescribing a limitation to claims and suits against the Commonwealth, and for other purposes," No. 258; "An act, to incorporate the Tazewell White Sulphur Springs company, and for other purposes," No. 261; "An act, concerning delinquent and forfeited lands west of the Alleghany Mountains, and for other purposes," No. 47; and, "An act, concerning John Blattenbury of Brooke county."

And, have agreed to the Resolution for the adjournment of the Senate till the first Monday in December next.

Mr. Guerrant, from the committee appointed to examine the enrolled bills, reported that the committee had, according to order, examined sundry other such bills, which were found truly enrolled.

The Speaker then signed the following enrolled bills:—

- An act, concerning the accounts of jailors for supporting lunatics, & for other purposes.
- An act, regulating fishing on the Potomac river during certain months, and concerning obstructions to fishing on said river.
- An act, concerning dams on streams improved by navigation companies, and for other purposes.
- An act, authorising the James river and Kanawha company to increase their tolls, and for other purposes.
- An act, giving the circuit superior court of Henrico and City of Richmond concurrent jurisdiction with the General Court, in certain cases.
- An act, to amend the act, entitled, an act, forming a new county out of part of the counties of Lewis, Kanawha and Nicholas.
- An act, defining more clearly a part of the boundary line of the county of Marion, and for other purposes.
- An act, concerning larceny and receivers of stolen goods.
- An act, concerning Samuel Houston, and the administrator of John Saunderson, dec.
- An act, converting into stock the State's loan to sundry rail road companies, and for other purposes.
- An act, to establish an inspection of tobacco at Curdsville in the county of Buckingham.
- An act, concerning separate elections in the counties of Montgomery, Wayne and Monongalia.
- An act, regulating oaths from toll-gatherers on works of internal improvement, in which the State is interested, and further providing against frauds in the payment of tolls.
- An act, to prevent the destruction of oysters in North river.
- An act, to authorise the investment of the surplus income of William Allen, in real estate.
- An act, appropriating the public revenue.
- An act, to amend an act, entitled, an act, to incorporate the town of Bowling Green, in the county of Caroline.
- An act, incorporating the trustees of Brandon academy.
- An act, authorising the trustees of Rappahannock academy to sell a certain portion of the land of said academy.

- An act, to authorise a separate election at Tolson's mill in the county of Stafford.
- An act, authorising the raising of a company of artillery in the counties of Campbell, Rockingham and Amherst.
- An act, providing for the correction of an error in the assessment of a certain tract of land in the county of Loudoun.
- An act, to provide for the payment of the temporary loan of the Commonwealth.
- An act, to establish the town of Flint Hill, in the county of Rappahannock.
- An act, changing the place of holding a separate election from the house of Benjamin Webb to that of Alexander Lowther, in the county of Ritchie.
- An act, concerning the appointment of directors of the Bank of the Valley in Virginia.
- An act, to change the time of holding the annual meetings of the Belle Isle manufacturing company, and for other purposes.
- An act, authorising William S. Belony to establish a ferry across the Big Sandy river.
- An act, to authorise the appointment of two commissioners of the revenue for the county of Prince William.
- An act, to amend an act, entitled, an act, further to prohibit injuries to rail roads and other property of rail road companies.
- An act, allowing five years further time to the Giles, Fayette and Kanawha turnpike company to complete their road.
- An act, to prevent the transportation of oysters from the waters of James and Nansemond rivers, within certain periods.
- An act, concerning the Public Square and the lot attached to the government house.
- An act, to authorise the citizens of Accomac county to catch and carry away oysters from the waters of that county for a limited period, and for other purposes.
- An act, imposing taxes for the support of government.
- An act, to ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers, and regulating the collection thereof.
- An act, to incorporate the Upper Appomattox and City Point rail road company.
- An act, reviving and amending the act incorporating the Clover Hill rail road company.
- An act, changing the place for the training of officers of the 154th and 153d regiments.
- An act, to prevent free negroes and mulattoes in the county of Accomac and the county of Richmond, from selling agricultural products without a certificate.
- An act, to establish two separate elections in the county of Kanawha.—And,
- An act, changing the terms of Circuit Superior Courts of law and chancery.

Ordered, That the Clerk inform the House of Delegates thereof, and return the said bills to that House.

The following communication was received from the House of Delegates by their Clerk:

In the House of Delegates, March 28, 1843.

The House of Delegates agree to the amendment proposed by the Senate to the bill, entitled, "An act, concerning Sheriffs and other officers commissions and Attorney's fees on forthcoming bonds," No. 201.

The following message was received from the House of Delegates by Mr. Brawner:

Mr. Speaker—The committee of the House of Delegates, appointed to examine the Enrolled Bills, have examined all such bills to them referred, which, being found truly enrolled, are now sent to the Senate for further examination and signature.

The said Enrolled Bills, being delivered in, were referred to the committee appointed to examine them.

Mr. Cox, from the committee appointed to examine the Enrolled Bills, reported that the committee had, according to order, examined all such bills as were referred to them, which were found truly enrolled.

The Speaker then signed the following Enrolled Bills:

- An act, to amend an act passed on the 13th of March, 1841, entitled, an act, to prevent the citizens of New York from carrying slaves out of this Commonwealth and to prevent the escape of persons charged with the commission of any crime.
- An act, abolishing the office of Chief Engineer of the State.
- An act, reviving the act, entitled, an act, to authorise a ferry from Pungoteague Creek in the county of Accomac, to Norfolk and other places, in favor of Lewis L. Snead and Nathaniel Topping.
- An act, to amend the act, entitled, an act, converting into stock the State's loan to sundry rail road companies, and for other purposes.
- An act, prescribing the mode of ascertaining certain subjects of taxation.
- An act, appointing commissioners to select a site for a new seat of justice for the county of Grayson.
- An act, authorising a change in the location of part of the Kanawha turnpike, and concerning the tolls on that and the Guyandotte turnpike.
- An act, for the relief of securities for costs, and for other purposes.
- An act, providing for the refunding to John A. Truslow the sum of fifty-eight dollars and twenty cents, by the Auditor of Public Accounts.
- An act, prescribing a limitation to claims and suits against the Commonwealth, and for other purposes.
- An act, to incorporate the Tazewell White Sulphur Springs company, and for other purposes.
- An act, concerning delinquent and forfeited lands, west of the Alleghany mountains, and for other purposes.
- An act, concerning John Blattenbury of Brooke county.—And,
- An act, concerning sheriffs and other officers commissions and attorneys fees on forthcoming bonds.

Ordered, That the Clerk inform the House of Delegates thereof, and return the said bills to that House.

Mr. Carter of R., was called to the Chair.

Mr. Cocke moved the following Resolution:

Resolved, That the thanks of the Senate be presented to Charles Hunton, Esqr., their Speaker, for the urbane, faithful and impartial manner in which he has discharged the duties of the Chair, during the present session.

And, on the question being put upon the said Resolution, it was *unanimously* adopted by the Senate.

The following message was received from the the House of Delegates by Mr. Crutchfield:

Mr. Speaker,—The House of Delegates, having finished all the business before them, are ready to adjourn, *sine die*.

Ordered, That Mr. Cocke inform the House of Delegates that the Senate, having finished all the business before it, is ready to adjourn until the first Monday in December next.

On motion of Mr. Cocke,

The Senate then adjourned until the first Monday in December next.

MEMBERS OF THE SENATE,

*Who served at the Session commencing the 5th day of December,
1842, and ending the 28th day of March, 1843.*

FIRST CLASS.

Amelia, Powhatan, <i>Chesterfield</i> and Town of Petersburg,	James H. Cox.
<i>Bedford</i> and Franklin,	William Campbell.
Spottsylvania, <i>Caroline</i> and Essex,	James B. Thornton, jr.
<i>Albemarle</i> , Nelson and Amherst,	Charles Cocke.
<i>Fauquier</i> and Prince William,	Charles Hunton.
<i>Augusta</i> and Rockbridge,	John H. Peyton.
Shenandoah, Hardy, Page and <i>Warren</i> ,	William Carson.
Monongalia, Preston, Randolph and <i>Marion</i> ,	William J. Willey.

SECOND CLASS.

<i>Isle of Wight</i> , Prince George, Southampton, Surry & Sussex,	Archibald Atkinson.
<i>Mecklenburg</i> and Halifax,	Richard H. Baptist.
<i>Buckingham</i> , Campbell and Cumberland,	Thomas M. Bondurant
<i>Accomack</i> , Northampton, Elizabeth City, York, Warwick } and the City of Williamsburg,	James W. Custis.
Culpeper, Madison, <i>Orange</i> , Rappahannock and Green,	John Woolfolk.
<i>Frederick</i> , Jefferson and Clarke,	Robert Y. Conrad.
Tazewell, <i>Wythe</i> , Grayson, Smyth and Carroll,	James H. Piper.
Greenbrier, Monroe, Giles, <i>Montgomery</i> , Floyd and Mercer,	William B. Preston.

THIRD CLASS.

Charlotte, Lunenburg, <i>Nottoway</i> and Prince Edward,	Louis C. Bouldin.
<i>Patrick</i> , Henry and Pittsylvania,	Clark Penn.
<i>Charles City</i> , James City, New Kent, Henrico and the } City of Richmond,	Hill Carter.
Stafford, King George, Westmoreland, <i>Richmond</i> , Lancaster } and Northumberland,	Robert W. Carter.
<i>Rockingham</i> and Pendleton.	Anderson Moffett.
Berkely, Morgan and <i>Hampshire</i> ,	Thomas Sloan.
<i>Harrison</i> , Lewis, Wood and Braxton,	Wilson K. Shinn.
Washington, Russell, <i>Scott</i> and Lee,	Fayette McMullen.

FOURTH CLASS.

<i>Norfolk</i> , Nansemond, Princess Anne and Norfolk Borough,	James H. Langhorne.
Brunswick, Dinwiddie and <i>Greensville</i> ,	Edward P. Scott.
King and Queen, King William, Gloucester, Matthews and } <i>Middlesex</i> ,	John R. Taylor.
Fluvanna, <i>Goochland</i> , Louisa and Hanover,	John Guerrant.
<i>Loudoun</i> and Fairfax,	Asa Rogers.
Alleghany, Bath, Pocahontas, Botetourt and <i>Roanoke</i> ,	John McCauley.
Brooke, Ohio, Tyler and <i>Marshall</i> ,	Alexander Newman.
<i>Kanawha</i> , Mason, Cabell, Logan, Nicholas, Fayette, Jackson } and Wayne,	Robert A. Thompson.

REPORT

OF THE

COMMITTEE OF FINANCE,

UPON THE DEBT, LIABILITIES AND RESOURCES OF THE COMMONWEALTH.

The Committee of Finance, in pursuance of the 34th Rule of the House of Delegates, having had under consideration the state of the debt, liabilities and resources of the Commonwealth, as also the best and most practical means of providing for the payment of the same: Thereupon, beg leave respectfully to submit, as part* of their duty, the following report and resolutions:

They have deemed the Literary Fund an investment sacredly devoted to the purposes of education, and not to be looked to as a resource for the redemption or security of the debts of the State, except under circumstances of the gravest necessity, and can add nothing on that subject to the reports submitted to this body,

The Fund for Internal Improvement mainly resting upon the State Treasury for its support, after exhausting its appropriate resources, draws annually a sum from it, amounting to more than two-thirds of the ordinary demands for the support of the State Government. Lost as it has been, in the magnitude of its indebtedness, in viewing the financial condition of the State, it has been blended in the common fund of the Treasury, in order to exhibit more simply and intelligibly the debts and resources of the Commonwealth. We find the aggregate amount of the debts to be, \$7,759,812. Of this sum, \$350,646, consists of \$100,000, a debt held by the Executive against the Fund of Internal Improvement, \$182,316 State stock held by the Board of Public Works, and \$68,330 State stock held by the Sinking Fund. These items your committee would recommend to be cancelled, as swelling the apparent amount of debt due by the Commonwealth, by the exhibition of a debt which has no real existence, and thus presenting the true amount of public debt at \$7,409,166. Of this sum, \$79,749 has not been drawn from the Treasury, consisting of appropriations and subscriptions under existing laws to works in progress, where portions of the State's quota has been paid, and the residue subject to be called for, in whole or in part, during the current fiscal

* An estimate of the probable revenue and current expenses of Government will be presented to the House in another report.

year. \$367,425 is the excess of expenditures over receipts from all sources of revenue and permanent loans in the two past years; staved off from year to year by the expedient of temporary loans, which, falling annually upon the resources of the Treasury, embarrassing its operations and discrediting its punctuality; and now exhibits the amount of deficiency, (in addition to \$51,703, part of the undrawn appropriations of \$79,749, estimated to be called for during the year) under existing taxation of the resources of the current fiscal year, to meet the demands upon the Treasury in the absence of all appropriations by the present Legislature, other than to the ordinary and necessary expenses of Government, and to meet pre-existing engagements. Your committee would recommend, as soon as it can be done upon advantageous terms, that the Executive be authorized to place this deficiency of \$419,128 upon some permanent footing, by issuing State bonds for it, or in any other manner more expedient. \$994,906 of this debt is held by the Literary Fund, leaving that in the hands of the creditors of the State, viz: \$6,414,260. The interest payable on this debt, when the uncalled for appropriations shall be drawn, is \$453,960 per annum. Of this, the resources of the Fund for Internal Improvement pays \$121,578,* the bank stock of the Treasury \$79,952, and taxation \$224,430. Under existing taxation, the annual deficit in the Treasury, with the Auditor's estimate of the expenditures of the present year as the guide for future years, would be annually \$18,930. For the more perfect comprehension of the above recital, we would refer to statement (A.) There is also a liability on the part of the Commonwealth, of \$1,400,000, for the James river and Kanawha company, of the character of which, reference is had to the law enacted March 23d, 1839, and a guarantee of a perpetual annuity to individual shareholders of the Old James river stock, of \$6,720, equal to a capital at 6 per cent. of \$112,000, which amounts, the James river and Kanawha company will doubtless make good to their creditors.

The State is also liable to be called on for subscriptions authorized to the Baltimore and Ohio rail road company, to the amount of \$1,360,520, viz:

1st. By an act passed 28th March, 1837, subject to the conditions that the road shall be completed to the Virginia line, and that the Board of Public Works shall be satisfied that the road will be completed to its western termination in this State,

302,100 00

Amount carried over,

302,100 00

* \$4000 of this amount is derived from the fund created for the redemption of the loan obtained to pay the State's subscription to the Petersburg Rail Road company, out of the dividend received from said company and invested.

Amount brought forward,

302,100 00

2dly. By an act of 2d April, 1838, amended 1st April, 1839, to be paid as soon as the said company shall have certified and proved to the satisfaction of the Board of Public Works, that the road is completed and in actual operation, with a single track, between Harper's Ferry and Cumberland, and between Wheeling and a point on the National road near Brownsville, and shall furnish to said Board satisfactory evidence that they have procured, or can and will procure, without further aid from Virginia, the funds necessary to complete the road from Cumberland to Brownsville,

1,058,420 00

\$ 1,360,520 00

Statement (B.) exhibits \$ 987,000 as the principal of loans, made to various joint stock companies by the Commonwealth, and the arrearages of interests (\$ 65,713) due and unpaid thereon. The annual interest upon these debts, is \$ 55,140, a sum equal to one-third of the land tax of the State. The Commonwealth subscribed, as a stockholder to these companies also, \$ 3,084,375, upon which no dividend is now derived, and some of them not likely to divide, if at all, for years to come. Of this sum, \$ 2,932,675 was borrowed, and forms an annual charge upon the Treasury of \$ 174,260 for interest. This is a loss which the Commonwealth sustains in common with other stockholders, and is a separate and distinct sum from that loaned. Your committee would recommend that steps be taken to enforce for the future the punctual payment of the interest upon these loans, and that those companies be required to increase their rates of toll sufficiently to pay it. The question is between the required payment and so much additional taxation. It is true that the stockholder draws no dividends from these works—as investments of money, they have been so far unfortunate, but many of them have derived benefit from the improvement of their trade and property, and the portions of the country using them as commercial highways, have been greatly benefitted. It is enough that the State loses its enormous subscriptions as a stockholder.* It cannot be just that the citizens of the Commonwealth at large should be taxed in a period of such general distress, for default of the payment of the interest on sums loaned to those companies. The trade of the country benefitted by the improvement, should at least bear the charge of the interest actually due to the Commonwealth.

* To redeem the loan of \$ 80,000, obtained for payment of subscription to the Petersburg Rail Road company, a sinking fund has been created out of the dividends received from the company, which amounted, on the 30th Sept. last, to \$ 54,171 36, after paying the entire interest which has accrued on the loan, leaving to be provided for, \$ 25,828 64, an amount not to be thrown upon any general sinking fund hereafter to be established.

In viewing the financial condition of the State, your committee, tracing back the investments of its funds in bank stocks and works of internal improvement, to the amount of more than \$11,000,000, yielding a revenue of less than \$160,000—its finances embarrassed and its credit impaired; the bonds of the State bearing an interest of six per cent. per annum, selling in the market for more than twenty per cent. discount, increased taxation inevitable to preserve its honor and to discharge its debts; they see much to avoid and little to imitate.

As long as the revenues of the State are barely sufficient to meet the interest of its debts and its necessary expenses, relying upon temporary and precarious loans to meet unexpected demands upon its resources, it must ever be upon the eve of practical repudiation. Its disposition, if not its ability, to discharge with punctuality its engagements, cannot escape imputation. It appears to your committee that the only assured means by which the credit and honor of the State can be maintained, is by the adoption of prompt and decisive measures to enable it to meet punctually and certainly the payments of the interest upon its debts, and to provide certain and adequate resources to discharge, within a definite period, the principal of those debts. The conviction forces itself upon them, that the credit of the State influences powerfully its monied institutions, and the prosperity of its commerce, agriculture and mechanic arts. A depressed State credit, locks up in inaction, at a period of general distress, the mass of capital vested in State bonds. Give confidence to the public creditor in the punctual payment of his interest, and an assured safety of his debt, by the provision of ample means for its future payment, and the millions in State bonds becomes at once available funds for the liquidation of foreign and domestic debts, the medium of exchange and remittance, supplying your banks copiously with specie, restoring confidence and activity to trade, and will be the first and important step towards relief from pecuniary embarrassment, alike harassing to all classes of the community, and operating with a deadening influence upon all branches of business, whether agricultural, commercial or manufacturing.

To reinstate this credit, it will be necessary to increase the present rate of taxation upon existing subjects; to enlarge the list of taxable subjects by adopting the principle that each person shall contribute in proportion to his ability, that the burden of taxation shall be borne in just proportion by all, that all capital stock participate rateably in sustaining it. Hitherto the great burden of taxation has fallen upon land and labor. The cultivator of the earth has toiled to contribute his mite to the Treasury, while the possessor of money or stocks, and those enjoying incomes from other sources than vested capital, protected in their persons and property by just laws, have contributed little or nothing to the expenses of their administration. Is this either just or politic?

Whereupon, in order to place these matters and views in some tangible form, and that the House may instruct them as to their further action in preparing the estimates, they have adopted the following resolutions:

1st. *Resolved, as the opinion of this committee, That a revenue be raised sufficient to meet all the expenses of Government, economically administered—to pay, punctually and certainly, the interest on the public debt, and to create a sinking fund adequate to the redemption of the principal of the debt in years; and that the faith of the State be pledged, sacredly and inviolably, that the funds so vested shall not be diverted from that object.*

2d. *Resolved, as the opinion of this committee, That the taxes on existing subjects be raised for that purpose, and that the taxation of the State be equalized by a graduation of merchants's licenses, and by including capital which has hitherto been exempted; and requiring proportionate contributions from persons not possessed of capital, but enjoying incomes from other sources.*

December 20th, 1842,

[A.]

DEBT OF THE STATE.

Certificates issued for loans, (internal improvement),	[2d Auditor's Report, G,]	\$6,519,492
Balance of appropriations unexpended, do.	[ditto]	79,749
Debt created for subscriptions to banks,	[2d Auditor's Report, note (a) page 29,]	450,107
War debt, 7 per cent.,	[ditto]	319,000
6 per cent.,	[ditto]	24,039
		343,039
Total deficiency, [Auditor's Report, Doc. 2, page 17,]		367,425
		<hr/> 7,759,812
Deduct—held by executive against internal improvement fund,	[2d Auditor's Report, note (a),]	100,000
State stock held by Bd. pub. works,	[ditto]	182,316
sinking fund,	[ditto]	68,330
		<hr/> 350,646
		<hr/> \$7,409,166

Available assets to meet the annual liabilities of the State:

Bank stock held by the treasurer 24,488 shares,		
yielding at 4 per cent. annual revenue,		97,952
Do. held by Board of public works,		55,208
284 shares Old James river company stock at 30		
per cent.,		8,520
All other works of internal improvement,		7,108
Loan to Valley turnpike company secured by personal		
security and lien on the road,		1,500
Estimated receipts from taxes & ordinary sources,		652,500
Bonus on bank capital annually,		49,242
		<hr/> 872,030
Of the public debt, 1,365,300 is at 5 per cent.,		68,265
25,300	5½	1,391
319,000	7	22,330
5,699,566	6	341,974
		<hr/> \$7,409,166
		<hr/> 433,960
Probable expenditure founded on the estimates for 1843,		457,000
		<hr/> 890,960
		<hr/> Annual deficiency, \$18,930

LIABILITIES.

James river and Kanawha company bonds guaranteed by the State,	1,400,000
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Old James river company dividends annually guaranteed by the State, 6720 shares equal to a capital of	112,000
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1,512,000

Subscriptions to Baltimore and Ohio railroad company,	1,369,520
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2,872,520

7,409,166

Debts and liabilities of the Commonwealth,	<u>\$10,281,686</u>
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STATEMENT OF LOANS

Made to Joint Stock Companies, with the amount of interest due thereon—and also, the amount subscribed by the Commonwealth to the Stock of each Company.

	Interest due and unpaid.	Principal loaned to company.	Amount subscribed to the stock by the State.
The Richmond Dock Company.			
The dock has been sold under the lien of the Commonwealth, and bought by the James river and Kanawha company for \$100,000, (not paid for,)	-	50,000	62,500
Petersburg and Roanoke railroad, 6 per cent.	4,500	150,000	160,000
Portsmouth and Roanoke, \$100,000 at 5—\$50,000 at 6 per cent.,	18,200	150,000	256,650
Winchester and Potomac, \$3,000 at 5—\$142,000 at 6 per cent.,	22,300	150,000	120,000
Richmond & Petersburg, 6 per cent.	13,213	150,000	200,000
City Point, 6 per cent.,	7,500	50,000	60,000
James river and Kanawha company,	-	250,000	1,990,800
Valley turnpike,	-	25,000	234,425
Directors of Ohio & Maryland road,	-	12,000	
	\$65,713	987,000	3,084,375

[Doc. No. 2.]

STATEMENT

OF THE

BANK OF VIRGINIA,

In response to the Senate's Resolution of January 13, 1843.

BANK OF VIRGINIA,

January 13th, 1843.

SMALL NOTES—BALANCES.

Amount of one and two dollar notes issued by the Bank of Virginia, under the act of 1837,	\$ 150,000
Amount of do. issued under the act of 15th March, 1841,	120,000
	<hr/>
	\$ 270,000
	<hr/>
Of the above issues, this amount was in circulation on the 25th March, 1842,	193,633
Amount of one and two dollar notes issued under the act of 25th March, 1842,	60,000
Amount in circulation (of all the above issues,) on the 1st January, 1843,	178,733
Amount in circulation on the 13th January, 1843,	172,297
	<hr/>

STATEMENT

OF THE

BRANCH OF THE EXCHANGE BANK OF VIRGINIA,

In response to the Senate's Resolution of January 13, 1843.

Under the act of 25th March, 1842, there was issued by this department of the Exchange Bank of Virginia,	
in one dollar notes,	6,400
two dollar notes,	9,600
	<hr/>
	\$ 16,000
Outstanding on the 1st January,	\$ 15,831
on this day,	14,920
	<hr/>

[*Doc. No. 3.*]

AMOUNT OF
ONE AND TWO DOLLAR NOTES

ISSUED BY

FARMERS BANK OF VIRGINIA,

Under several Acts of the Legislature, to wit:—

Issued under the act of 1838,	\$ 80,000
do. do. do. 1841,	105,000
	<hr/>
	185,000
Amount of above cancelled at sundry times up to 25th March, 1842,	58,256
	<hr/>
Amount outstanding per register, on the 25th March, 1842,	126,744
Issued under the act of 1842,	40,000
	<hr/>
	166,744
Amount cancelled up to 1st January, 1843,	13,214
	<hr/>
Amount outstanding per register, 1st January, 1843,	153,530
Amount cancelled since,	438
	<hr/>
Amount outstanding per register, 13th January, 1843,	\$ 153,092
	<hr/> <hr/>

Note.—In cancelling notes, regard is had to denominations only, not to the time when issued; consequently, the amount outstanding under the above separate acts, cannot be obtained.—The above statement only shows the amount issued and the amount cancelled—the actual amount outstanding on any particular day, can only be obtained by getting the amount on that day on hand at the mother bank and several branches.

The banks not being allowed by law to pay out any of these notes since the first January, inst. the actual amount outstanding, will be considerably less than the amount above stated.

REPORT

OF

LIBRARIAN,

1842.

*Annual Report of the Librarian to the Joint Committee on the
State Library, December 31, 1842.*

On the 1st day of January, 1842, there was on hand, as	
per the last report, an unexpended balance of	\$ 29 17
And there has been received during the year, from sales	
of books, &c., the sum of	1557
For a book lost from the Library,	3

\$ 1583 17

Which has been applied

To the payment of one year's interest on debt to	
Literary fund,	\$ 502 68
To the principal of that debt,	500
To the ordinary current expenses, including a	
bill for books due in 1841, but not rendered	
until 1842, (voucher No. 4.)	317 75
Leaving an unexpended balance at this date, of	262 74
	<u>\$ 1583 17</u>

All which is fully stated in the account of receipts and disbursements marked A.

The 11th volume of Leigh's Reports, which at the date of the Act of 24th March last, "Changing the mode of compensating the Reporter of the Court of Appeals," was partly printed, has not yet been delivered, though I learn, that it will be ready in a few weeks. As required by the same Act, I contracted with Mr. Shepherd, the Public Printer, for printing and binding 700 copies of the next Volume of Reports, upon terms which will probably bring it to the State at not more than \$5 per copy. This volume is now in the press and will be ready for delivery some time in the coming Spring.

The materials are also, prepared for the 12th and last volume of Leigh's Reports, which it may be expedient to secure to the State, in order to connect the series of Reports.

The stock of the Library fund is large, and, from the nature of things, cannot be reduced beyond the actual demand for it, which is progressive only, and cannot be accelerated by any expedient that I can devise. As to the oldest and heaviest portion, comprising Henning's Statutes at large, the Journals from 1776 to 1792, and the maps, it may well be considered as "dead stock." Efforts have heretofore been made under the direction of the committee, to diminish this portion, by a reduction, in some cases, of one half in the price, and by auction sales—but it has wholly failed in attaining the object in view: on the contrary, it seems to have had the effect of lowering the public estimation of its value. It would therefore, as I think, be better to return to the prices fixed as the minimum by the Act of 28th February, 1829, which are greatly below cost, and can as readily be obtained as the present prices.

Henning's Statutes at large, and the Journals of the Legislature from 1776 to 1792, are really valuable, from their connexion with our Colonial and Revolutionary history, and it might reasonably have been expected that every Virginian who could compass the means would have hastened to possess himself of them, particularly at the present very low prices. Yet, only a single copy of either has been disposed of during the present year.

Although the aggregate amount of sales for this year, is less than for the preceding year, there is, notwithstanding the pressure of the times, no actual abatement of demand for the available portion of the stock. Whenever a new volume of Reports is published, there is an instant demand for a number of copies—none such having been published this year, the diminution in the amount of sales is accounted for by that fact.

The sum of \$500 has been paid towards the principal of the debt due the Literary fund, which is now reduced from \$10,000 to 7,500, and I respectfully recommend a continuance of that reduction annually, to the extent of the means of the Library fund.

Donations have been received from

The State of Arkansas, 2 vols. Pike's Reports.
 Alabama, 2 vols. Reports by the Judges.
 Maryland, 10th vol. Gill and Johnson's Reports.
 Dorsey's Laws of Maryland.
 Do. Statutory Testamentary Law.
 Mississippi, 5th vol. Howard's Reports.
 Maine, 18th vol. Shipley's Reports.

Document A. is an account of the receipts and disbursements of the Library fund for the year 1842. B. a tabular statement of the books and maps from sales of which, that fund is derived—and C. an account of disbursements of appropriation to procure a library for the Virginia Military Institute.

All which is respectfully submitted.

WILLIAM H. RICHARDSON,
Sec'y Comm'lth and Librarian.

Dr. William H. Richardson, Sec'y Commonwealth & Librarian,

1842.

Jan. 1. To cash, bal. from last year's account,	\$	23 17
Received of J. Early, for book lost,		3
Sales of books and maps from 1st of January to 31st Dec. 1842, viz:		
1 set Hening's Statutes at large, \$	6	50
1 do. New Series Statutes,	9	
4 copies Gilmer's Reports at 2 50	10	
4 do. 1st Randolph,	5	20
2 do. 4th do.	"	10
4 sets Ran's Reports, 6 v. 25	100	
7 copies 1st v. Leigh's Re. 5 50	38	50
9 do. 2d do.	6	54
9 do. 3d do.	"	54
13 do. 4th do.	"	78
16 do. 5th do.	"	96
17 do. 6th do.	"	102
18 do. 7th do.	"	108
19 do. 8th do.	"	114
22 do. 9th do.	"	168
126 do. 10th do.	"	756
Acts of Assembly,	6	

\$ 1730 00

By dis't to Booksellers and com. on sales 10 pr. ct. 173 — 1557

\$ 1583 17

In account with the Commonwealth,

Cr.

1842.

By cash, int'st on debt to Lit'y fund due 1 Jan. per No. 1	\$ 202	68
do. do. 1 July,	2	240
principal do. paid December 29th	3	500
paid Cary & Hart, draft for amount last year's account for periodicals, paid May 6th,	4	90 44
do. bill for periodicals of this year,	5	66 28
subscription to Niles' Register, 2 copies,	6	13
do. So. Literary Messenger,	7	5
do. Turf Register,	8	5
do. Audubon's Birds of America,	9	25
Invoices books from London,	10	49 50
Subscription So. Planter, 2 years,	11	2
Smith, D. & M., books and freight,	12	11 67
J. J. Jackson, for books,	13	12
Randolph & Co., books and binding,	14	16 80
Contingent expenses,	15	19 16
Dec. 31. By balance unexpended,		262 74
		<hr/>
		\$ 1563 17

E. E.

WILLIAM H. RICHARDSON,
Sec'y Comm'nth and Librarian.

**INVENTORY, &c.—Tabular Statement of Books and Maps,
belonging to Library Fund, 1842.**

BOOKS AND MAPS.	On hand Jan. 1st 1842.	Received since January 1st, 1842.	Sold in 1842.	Lost in removing in 1841, or error of count.	In hands of Agents Dec. 31st, 1842.	Donations.	On hand at Richmond, Dec. 31, 1842.	Total on hand, Dec. 31, 1842.	Value per set or copy.	Aggregate value.
Hening's Stat's at large, sets of 13 vols.	428		1		8 3	416	424	6 50	pr. set	2,756 00
Gilmer's Reports,	327		4		8	315	323	2 50	copy	817 50
Randolph's Reports, sets of 6 vols.	228	4	4		8	220	228	23 00	set	5,700 00
Do. surplus copy of vl. 1	55	4	4			55	55	5 00	copy	275 00
Do. do vl. 2	71			2		69	69			345 00
Do. do vl. 4	15		2	2		11	11			55 00
Do. do vl. 5	123					123	123			615 00
Do. do vl. 6	8				8		8	6 00		48 00
Leigh's Reports, vol. 1st	149		7		17	124	141	5 50		775 50
Do. 2d	217		9	6	20	181	201	6 00		1,206 00
Do. 3rd	235		9	5	1	220	230	"		1,320 00
Do. 4th	278		13	5	1	259	259	"		1,554 00
Do. 5th	328		16	3	1	308	308	"		1,848 00
Do. 6th	359		17	3	1	338	338	"		2,028 00
Do. 7th	374		18	3	1	352	352	"		2,112 00
Do. 8th	407		19	7	1	380	380	"		2,280 00
Do. 9th	444		28	6	5	405	405	"		2,430 00
Do. 10th	635		126		6	503	503	"		3,018 00
Large Map,	63				19	44	63	10 00		630 00
Small Map,	298				65	3	230	295	4 00	1,180 00
Journal Conv'n 1775-6	133					133	133	1 00		133 00
Sets of Journals—viz:										
Jour. Convention 1788,										
1 small vol. 8vo.										
Do. Senate, 1788-9 do										
Do. do. 1785-90 do										
Do. H. Delegates,	229					229	229	5	per set	1,145 00
1776, 1 vol. 4to										
Do do 1777 to 1780 do										
Do do 1781 to 1786 do										
Do do 1786 to 1790 do										
New series Statutes at large in 3 vols.	155		1		4	150	150	9	per set	1,350 00
										\$ 33,621 00
Journal Senate,										
1830-31 to 1841-2	25	Copies each Session.								
Do. House Delegates										
1829-30 to 1841-2	25	Do.								
Acts of Assembly for each session from 1829-30 to 1839-40	288	Do.								
Do. 1840-41 and 1841-42	25	Do.								
Deduct for over estimate 20 per cent.										6,724 20
Balance, chargeable with debt of \$7,500,										\$ 26,896 80

The articles under the head of "received since Jan. 1, 1842," are 4 sets Randolph additional, made up, and 4 copies 1st Randolph, error discovered in previous counts. The variation in the previously reported numbers of some of the books, occasioned by loss in removal in 1841, or previous miscount, is rectified by order of the Committee of last session. The donations were, to the State of Alabama, a set of Leigh's Reports; copies of 9th Leigh to Judges Bayly, Summers and Baldwin, and of the 10th to Judges Bayly, Summers and Douglass; Statutes and Maps to three new Counties.

C

Periodicals subscribed for by the Library:

Niles' Register, (2 copies,)	\$ 13		
Southern Literary Messenger	5		
Turf Register,	5		
Southern Planter,	1		
Farmers Register,	5		29
American Quarterly Review,	\$ 2 50	per vol.	5 00
Blackwood's Magazine,	6 00	per vol. bound,	12 00
London Monthly Magazine,	4 50	do.	9 00
Edinburgh Review,	3 37½	per vol. bound,	6 75
Westminster Review,	3 50	per vol. bound,	7 00
North American Review,	2 50	per vol. bound,	5 00
Quarterly Review, (London,)	3 87	per vol. bound,	7 75
Southern Review,	5 00	per year,	5 00
English Ecclesiastical Reports,	4 00	per vol.	8 00
Do. Common Law,	4 00	do.	8 00
Do. Chancery condensed,	4 00	do.	8 00
Law Library,	10 00	per year,	10 00
Silliman's Journal of Science and Arts	3 00	per vol. bound,	9 00
			<hr/>
			\$ 129 50

The number of volumes of English Reports per year, has been (I think) about 2 vols. per year. This statement is, I believe, as accurate as may be. The utmost expense of the periodicals cannot exceed \$ 140 or 50 per year, dependent upon the number of volumes printed.

[illegible]

SECOND AMENDMENT

PROPOSED TO BE OFFERED BY MR. PEYTON, TO THE BILL,

*“ For arranging the Counties of this Commonwealth into districts
to choose Representatives to Congress.”*

TENTH DISTRICT.

Frederick,	13,321
Page,	5,881
Shenandoah,	12,205
Berkeley,	10,204
Jefferson,	12,419
Morgan,	4,200
Clarke,	5,023
Warren,	5,054
	<hr/>
	68,307

THIRTEENTH DISTRICT.

Washington,	12,178
Lee,	8,209
Scott,	7,166
Russell,	7,555
Smyth,	6,187
Wythe,	8,728
Grayson and Carroll,	8,898
Tazewell,	5,975
Pulaski,	3,358
	<hr/>
	68,254

ELEVENTH DISTRICT.

Augusta,	17,974
Rockingham,	16,584
Rockbridge,	12,880
Pendleton,	6,755
Bath,	3,881
Pocahontas,	2,835
Greenbrier,	8,269
	<hr/>
	69,178

FOURTEENTH DISTRICT.

Brooke,	7,911
Ohio,	13,272
Marshall,	6,918
Tyler,	6,920
Lewis,	8,102
Jackson,	4,855
Kanawha,	12,543
Wood,	7,674
	<hr/>

TWELFTH DISTRICT.

Monroe,	8,075
Botetourt,	10,509
Roanoke,	4,878
Montgomery,	6,808
Floyd,	4,324
Giles,	5,078
Mercer,	2,194
Alleghany,	2,530
Nicholas,	2,486
Fayette,	3,871
Logan,	4,249
Cabell and Wayne,	7,936
Mason,	6,454
	<hr/>
	69,392

FIFTEENTH DISTRICT.

Monongalia,	17,264
Marion,	2,736
Harrison,	14,656
Preston,	6,829
Randolph,	6,121
Braxton,	2,550
Hardy,	7,169
Hampshire,	11,734
	<hr/>
	69,059

THIRD AMENDMENT

INTENDED TO BE OFFERED BY MR. PEYTON, TO THE BILL,

*“For arranging the Counties of this Commonwealth into districts
to choose Representatives to Congress.”*

TENTH DISTRICT.

Frederick,	13,321
Shenandoah,	12,205
Page,	5,881
Berkeley,	10,204
Jefferson,	12,419
Morgan,	4,200
Clarke,	5,023
Warren,	5,054
	<hr/>
	68,307

ELEVENTH DISTRICT.

Augusta,	17,974
Rockingham,	16,584
Rockbridge,	12,880
Pendleton,	6,755
Botetourt,	10,509
Roanoke,	4,878
	<hr/>
	69,580

TWELFTH DISTRICT.

Tazewell,	5,975
Giles,	5,078
Mercer,	2,194
Monroe,	8,075
Greenbrier,	8,269
Fayette,	3,871
Logan,	4,249
Cabell and Wayne,	7,936
Nicholas,	2,486
Pocahontas,	2,835
Montgomery,	6,608
Alleghany,	2,530
Braxton,	2,550
Bath,	3,881
	<hr/>
	66,537

THIRTEENTH DISTRICT.

Washington,	12,178
Lee,	8,209
Scott,	7,166
Russell,	7,555
Smyth,	6,187
Wythe,	8,728
Grayson and Carroll,	8,898
Floyd,	4,324
Pulaski,	3,358
	<hr/>
	66,603

FOURTEENTH DISTRICT.

Kanawha,	12,543
Mason,	6,454
Jackson,	4,855
Wood,	7,674
Lewis,	8,102
Tyler,	6,920
Marshall,	6,918
Ohio,	13,272
Brooke,	7,911

FIFTEENTH DISTRICT.

Monongalia,	17,264
Marion,	2,736
Harrison,	14,656
Preston,	6,829
Randolph,	6,121
Hardy,	7,169
Hampshire,	11,734
	<hr/>
	66,509

AMENDMENT

INTENDED TO BE OFFERED BY MR. WOOLFOLK, TO THE BILL,

*“ For arranging the Counties of this Commonwealth into districts
to choose Representatives to Congress.”*

Strike out from the fourth district, Cumberland and Fluvanna, and insert, Bedford.

Strike out from the sixth district, Louisa and add Cumberland.

Strike out from the fifth district, Bedford and insert, Louisa and Fluvanna.

AMENDMENT

INTENDED TO BE OFFERED BY MR. COX, TO THE BILL,
*“For arranging the Counties of this Commonwealth into districts
to choose Representatives to Congress.”*

FIRST DISTRICT.		FIFTH DISTRICT.	
Norfolk Borough,	9,436	Campbell,	17,012
Accomack,	15,244	Bedford,	16,658
Northampton,	6,267	Charlotte,	10,891
Princess Anne,	6,050	Buckingham,	14,381
Norfolk County,	14,238	Amherst,	10,265
Napsemound,	8,983		
Isle of Wight,	8,457		69,207
Elizabeth City,	3,023		
	<hr/>		
	71,698	SIXTH DISTRICT.	
	<hr/>	Henrico,	10,632
		Richmond,	17,149
		Hanover,	11,611
		Goochland,	7,560
SECOND DISTRICT.		King William,	6,946
Greensville,	4,645	York,	3,875
Sussex,	8,495	Warwick,	1,123
Surry,	5,339	James City,	3,000
Southampton,	11,903	Charles City,	3,801
Prince George,	5,570	New Kent,	4,876
Brunswick,	10,824		
Mecklenburg,	15,958		
Lunenburg,	8,372		70,573
or, Dinwiddie, 8,898	<hr/>		
	71,106	SEVENTH DISTRICT.	
or, 71,632	<hr/>	Albemarle,	18,201
		Nelson,	9,900
THIRD DISTRICT.		Fluvanna,	7,153
Amelia,	7,511	Louisa,	11,829
Petersburg,	9,681	Spottsylvania,	12,125
Chesterfield,	13,667	Orange,	6,980
Powhatan,	5,871	Greene,	3,536
Cumberland,	7,686		
Nottoway,	6,890		69,724
Prince Edward,	10,638		
Dinwiddie,	8,898	EIGHTH DISTRICT.	
	<hr/>	Essex,	8,606
	70,842	Matthews,	6,119
	<hr/>	Middlesex,	3,508
		Gloucester,	8,438
FOURTH DISTRICT.		King & Queen,	8,488
Pittsylvania,	21,775	Caroline,	13,688
Halifax,	20,249	Northumberland,	6,627
Franklin,	13,769	Lancaster,	3,637
Patrick,	7,295	Richmond,	5,020
Henry,	6,194	Westmoreland,	6,583
	<hr/>		
	69,282		70,714
	<hr/>		<hr/>

NINTH DISTRICT.

Prince William,	7,037
Loudoun,	18,322
Fauquier,	17,614
Culpeper,	8,966
Fairfax,	7,989
Stafford,	7,015
King George,	4,574
	<hr/>
	71,517
	<hr/>

TENTH DISTRICT.

Frederick,	13,321
Clarke,	5,023
Warren,	5,053
Jefferson,	12,419
Berkeley,	10,204
Morgan,	4,200
Hampshire,	11,734
Page,	5,881
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	67,835
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ELEVENTH DISTRICT.

Rockingham,	16,584
Shenandoah,	11,205
Hardy,	7,169
Pendleton,	6,755
Augusta,	17,974
Madison,	6,384
Rappahannock,	7,792
	<hr/>
	73,863
	<hr/>

TWELFTH DISTRICT.

Monroe,	8,078
Botetourt,	10,509
Roanoke,	4,878
Montgomery,	6,808
Rockbridge,	12,880
Alleghany,	2,530
Bath,	3,881
Greenbrier,	8,209
Giles,	5,078
Mercer,	2,194
Logan,	4,249
Pocahontas,	2,835
	<hr/>
	72,129
	<hr/>

THIRTEENTH DISTRICT.

Smyth,	6,187
Floyd,	4,324
Pulaski,	3,358
Wythe,	8,728
Grayson and Carroll,	8,890
Washington,	12,178
Tazewell,	5,975
Russell,	7,598
Lee,	8,209
Scott,	7,166
	<hr/>
	72,613
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FOURTEENTH DISTRICT.

Kanawha,	12,543
Cabell and Wayne,	7,936
Fayette,	3,871
Mason,	6,454
Jackson,	4,855
Braxton,	2,550
Lewis,	8,102
Nicholas,	2,486
Randolph,	6,121
Harrison,	14,656
	<hr/>
	69,574
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FIFTEENTH DISTRICT.

Tyler,	6,920
Brooke,	7,911
Ohio,	13,272
Marshall,	6,918
Monongalia,	17,264
Marion,	2,736
Preston,	6,829
Wood,	7,674
	<hr/>
	69,524
	<hr/>

STATE PROXIES.

List of the names of the Proxies of the State in the last general meeting of each Internal Improvement company in which the State has a vote, with the number of votes which the Commonwealth is entitled, placed opposite the name of the proxy entrusted with it.

Name of the Company.	Names of Proxy.	No. of Shares.	No. of Votes.
City Point rail road company,	William Shands, jr.	600	128
Louisa rail road company,	Edmund Pontaine,	1,890	386
Petersburg rail road company,	Charles F. Osborne,	1,600	328
Portsmouth and Roanoke rail road company,	Allen R. Bernard,	5,133	1,034
Richmond and Petersburg rail road company,	James Lyons,	2,000	408
Richmond, Fredericksburg & Potomac R. R. Co.	James Lyons,	2,752	558
Winchester and Potomac rail road company,	Dr. Rob't T. Baldwin,	4,800	968
Upper Appomattox company,	James H. Cox,	605	137
Lower Appomattox company,	Alden B. Spooner,	160	40
Chesapeake and Ohio canal company,	Dr. Richard C. Mason,	2,811	570
Dragon Swamp navigation company,	John W. Robinson,	100	28
Dismal Swamp canal company,	C. W. Newton,	760	160
* James river and Kanawha company,	{ Wm. M. Peyton, } James Lyons, Charles Cocke, }	3,000	1,610
Rappahannock company,	Oscar M. Crutchfield,	260	60
Rivanna navigation company,	Tho's J. Randolph,	760	160
Roanoke navigation company,	Edward B. Hicks,	800	168
Ashby's Gap turnpike company,	Dr. Bushrod Rust,	140	36
Berryville turnpike company,	Alfred Castleman,	126	33
Cacapon and North Branch turnpike company,	Conrade Glaze,	800	168
Charleston and Pt. Pleasant turnpike company,	Ezra Walker,	416	91
Fairfax turnpike company,	Dr. Richard C. Mason,	160	40
Fallsbridge turnpike company,	John Gunnell,	640	136
Fauquier and Alexandria turnpike company,	Charles Hunton,	300	68
Fincastle and Blue Ridge turnpike company,	Alex. T. Eskridge,	64	20
Holliday's Cove turnpike company,	David Snyder,	98	27
Huntersville & Warm Springs turnpike comp'y,	Sam'l V. Hamilton,	128	33
Jackson's river turnpike company,	Henry Erskine,	160	40
Lafayette and English's ferry turnpike comp'y,	Robert Craig,	120	32

* The vote of the Proxy of the State in the James river and Kanawha company is graduated by the scale provided by the 8th section of the act of 1832, incorporating the company; but the whole number of votes cannot exceed one-fourth of the whole number of votes of other stockholders present or represented, (act, 11th March 1834, ch. 89,) except upon an additional subscription of \$ 500,000, made under the 5th section of the act of Jan. 24, 1835, ch. 81. At the meeting in December last, the vote of the proxies of the State were as follows:

Individuals and corporations, 4,442 votes.
According to which the Commonwealth's vote was 1,110 or 1-4
And 500 additional, under the last mentioned act, (being 1 vote for every 10 shares,) 500
1,610 votes upon

the 3-5 interest of the Commonwealth.

The State vote in the other companies was 1 for every share not exceeding 10, and one for every five shares afterwards.

<i>Names of the Company.</i>	<i>Names of Proxy.</i>	<i>No. of Shares.</i>	<i>No. of Votes.</i>
Leesburg turnpike company,	Benj. Shreeve,	672	142
Leesburg and Snickers Gap turnpike company,	James McIlhancey,	200	48
Lewisburg & Blue Sulphur Springs turnpike co.	William Smith,	100	28
Little river turnpike company,	Henry W. Thomas,	1,259	33
Lynchburg and Salem turnpike company,	Henry Davis,	300	68
Lexington and Covington turnpike company,	Alexander T. Baralay,	286	65
Lynchburg and Buffaloe Springs turnpike co'py,	Thomas N. Eubank,	200	48
Middle turnpike company,	Anthony C. Cazenove,	239	55
Millboro and Carrs Creek turnpike company,	Samuel McD. Reid,	40	16
Natural Bridge turnpike company,	Dr. David G. Houston,	64	20
Pittsylvania and Lynchburg turnpike company,	William Daniel,	140	36
Pittsylvania, Franklin & Botetourt turnpike co.	William M. Peyton,	410	90
Red & Blue Sulphur Springs turnpike company,	Augustus A. Chapman,	100	28
Salem and Pepper's Ferry turnpike company,	Robert T. Preston,	120	32
Staunton and James river turnpike company,	David W. Patteson,	200	48
Shepherdstown and Smithfield turnpike comp'y,	vacancy,	371	82
Swift-run Gap turnpike company,	William C. Willis,	1,002	208
Snickers Gap turnpike company,	vacancy,	400	88
Smithfield, Charleston & Harper's Ferry T. P. co.	John Yates,	280	64
Tye river and Blue Ridge turnpike company,	William Massie,	48	17
Valley turnpike company,	Robert Grattan,	9,600	1,928
Warm Springs and Harrisonburg turnpike co.	Peter Heneberger,	240	56
Wellsburg and Washington turnpike company,	Dr. Edward Smith,		
White & Salt Sulphur Springs turnpike comp'y,	Augustus A. Chapman,	80	24
Cartersville bridge company,	Thomas Miller,	50	18

E. E.

J. BROWN, Jr.

*Second Auditor.**Second Auditor's Office,*

16th February, 1848.

STATEMENTS,

Respecting the State Proxies in the several Banks of the Commonwealth, January 1843.

<i>In what Banks and by what Funds the Stock is held.</i>	<i>Names of Proxies</i>	<i>No. of Shares.</i>	<i>No. of Votes.</i>
Bank of Virginia, Commonwealth proper, Board of Public Works, Literary Fund,	No proxy, B. W. Leigh, Esq. Ditto,	3,250 8,395 2,121	166 372 120
Farmers Bank of Virginia, Commonwealth proper, Board of Public Works, Literary Fund,	No proxy, B. W. Leigh, Esq. Ditto,	5,050 3,522 1,054	238 177 78
Bank of the Valley, Commonwealth proper, Board of Public Works, Literary Fund,	No proxy, P. Williams, Jr. Esq. Ditto,	3,700 1,047 92	184 78 26
North-western Bank of Virginia. Commonwealth proper, Board of Public Works, Literary Fund,	Thomas Hughes, Esq. Adam Kalm, Esq. Dr. A. C. Campbell,	4,000 326 500	196 49 56
Exchange Bank of Virginia. Commonwealth proper, Board of Public Works,	J. N. Tazewell, Esq. No proxy,	8,488 267	375 45
Merchants and Mechanics Bank of Wheeling, Board of Public Works,	No proxy,	245	30

In the preceeding statement I have stated the number of votes which the proxy of the Commonwealth proper and the Commonwealth's institutions, to wit: the Fund for Internal Improvement and the Literary Fund, would have the right to give according to the scale of votes prescribed by the bank act of 1837. The Merchants and Mechanics Bank of Wheeling is an exception to this scale, the highest number of votes allowed any one stockholder in that bank being thirty.

There is no documentary information in this office showing what votes were given by the proxies of the Funds attached to this Department. But, upon enquiry at the Bank of Virginia, I learn that at the late annual meeting of the stockholders of that Bank, the proxy of the Board of Public Works was only allowed to represent 418 shares of

stock purchased by, and standing in the name of, the Board, which gave 53 votes, and 2,121 shares in the name of the Literary Fund, which gave 120 votes. ~~It further appears that~~ there was no vote given on behalf of either of the said Funds at the Farmers Bank of Virginia.

All the stock owned by the Board of Public Works in the several Banks, prior to the act of 1837, except that undermentioned, was created out of the bonus on the respective charters, and stands on the books of said Banks in the name of the *Commonwealth of Virginia*. That part of the bonus stocks issued under the act of 1837, together with that before issued by the Northwestern Bank of Virginia, stands in the name of the *Commonwealth of Virginia for the benefit of the Fund for Internal Improvement*.

The stocks standing in the name of the *Board of Public Works* were purchased out of the monies belonging to said Board, and are as follows:

Bank of Virginia,	418 shares.
Farmers Bank of Virginia,	108 "
Bank of the Valley,	100 "

J. BROWN, Jr.
2d Auditor.

Second Auditor's Office,
24th February, 1843.

Governor McDowell:

I have the honor to acknowledge the receipt of your letter of the 17th inst. in relation to the stock of the Board of Public Works, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
J. BROWN, Jr.
2d Auditor.

I have the honor to acknowledge the receipt of your letter of the 17th inst. in relation to the stock of the Board of Public Works, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
J. BROWN, Jr.
2d Auditor.

RAIL ROAD COMPANIES.

CITY POINT RAIL ROAD COMPANY.

OFFICE CITY POINT RAIL ROAD COMPANY,
Petersburg, February 14, 1843.

JAS. BROWN, JR., 2d AUDITOR,

SIR—Yours of the 13th inst., enclosing a copy of a resolution of the Senate, I have just received, in answer thereto, beg leave to present you with the annexed report, viz:

List of Officers, &c., of the City Point Rail Road Company.

John A. Peterson, President—salary per annum, \$1,000

Edwin James,

Robert Leslie,

P. C. Spencer,

Quin Morton,

Wm. I. Morris,

} Directors, nothing.

C. R. Bishop, Treasurer and Book-keeper, salary per annum, 600

Peter Baird, Depot Agent at Petersburg, “ “ 550

Wm. P. Porter do at City Point “ “ 550

Alexander Baird, Train Agent, “ “ 250

George W. Curtis, Superint. Repairs to road, “ “ 400

John T. Owen, Engine Driver, “ “ 600

Thomas Walber, Machinist, “ “ 600

\$ 4,550

Most respectfully yours,

JOHN A. PETERSON, Prest.

City Point R. R. C.

LOUISA RAIL ROAD COMPANY:

Louisa Rail Road Office, Feb. 18, 1843.

JAMES BROWN, JR., 2d AUDITOR,

DEAR SIR—Yours of the 13th inst., was not received until to-day, owing to my being confined at home by indisposition in my family for several days, and I lose no time in giving the information called for, which you will find on the other side, and which I hope will prove satisfactory, and reach you in time.

Very respectfully, your obedient servant,

C. Y. KIMBROUGH, Prest. L. R. R. C.

A list of the Officers of the Louisa Rail Road Company, and their compensation for the year 1843, viz:

Charles Y. Kimbrough, President—salary per annum,	\$ 500
Andrew W. Talley, Clerk and Treasurer, “	125
Claiborne W. Mason, Superintendant of Repairs “	700

James M. Morris,	}	Directors appointed by Board P. W.
David Anderson, Jr.,		
Nathaniel Mills,		
Charles L. Jones,	}	Do do by the Stockholders,
Wm. Williamson,		

The Directors receive \$2 50 per day, for each day actually employed in the business of the Company. Since the completion of the Road, the meetings of the Directors are not frequent, not on an average exceeding one day in a month. None of the Officers have any perquisites except the privilege of travelling on the Road free of charge.

There are two Overseers employed to attend to the laborers on the Road, at a salary of \$ 250 per annum.

C. Y. KIMBROUGH, Prest.
Louisa Rail Road Company.

February, 18, 1843.



PETERSBURG RAIL ROAD COMPANY.

Office of the Petersburg Rail Road Company, }
February 15, 1843.

J. BROWN, JR., Esq., 2d Auditor,

SIR—I received by yesterday's mail, your favor of the 13th inst., enclosing a copy of a resolution of the Senate, requiring a list of the Officers of the Companies in which the State is a shareholder, with the salary and perquisites of each, I enclose you a list of the Officers and Agents of our Company; and being desirous to make it as complete and satisfactory as possible, I have taken the liberty to add in the annual cost of all the force engaged on the Rail Road for this year.

I remain very respectfully, your obedient servant,
H. D. BIRD, President.

List of the Officers, Agents, Workmen and Laborers in the employ of the Petersburg Rail Road Company, on the 15th day of February, 1843, with their annual pay or cost.

General Supervision.

H. D. Bird, President,	3,000
James Ligon, Treasurer,	1,500
Alexander Falconer, Clerk,	600
	5,100

Engaged in Freight Business—Petersburg Depot.

T. C. Christian, Receiving Agent,	720	
B. F. Dabney, Delivering do	360	
B. Doles, Overseer,	480	
Alexander Newsom, Watchman,	180	
H. Metcalf, Watchman,	180	
11½ Negroes, hire, and cost of feeding, &c.	960	50
		<hr/> 2,880 50

Nine Mile Station.

3 Negroes, hire and feeding,	245
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Stoney Creek Depot.

A. Aldridge, Agent, and 3 negroes furnished by him,	550
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Jarratt's Depot.

Wm. Jarratt, Agent and 3 Negroes,	480
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Belfield Depot.

T. H. Peebles, Agent and 3 Negroes,	500
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Pleasant Hill Depot.

Wm. Harding, Agent, and 2 Negroes,	400
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Blakely Depot.

R. A. Ellis, Agent,	600	
7 Negroes, hire and cost,	611	
		<hr/> 1,211

Depots on the Greenville Rail Road.

Paid by us.

Ryland.

John Dun, Agent, and 2 Negroes,	450
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Summit Water Station.

2 Negroes, hire and cart,	170
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Gaston Depot.

James Gresham, Agent,	600	
7 Negroes, hire and cart,	594	
		<hr/> 1,194

Engaged on the Engines and Cars.

Thomas Dedomead, Engineman, \$50 per month,	600
H. Cole, do do	600
John Smith, Sr., do do	600
John Smith, Jr., do do	600
Wm. Smith, do do	600
John R. Lunsford, do do	600
H. J. Gee, do do	600
A. J. Leavill, do do	600
Wm. C. Spilman, Conductor, \$40 do	480
B. Stiles, do do	480
H. Hamet, do \$30, do	360
12 Firemen and Train Hands, hire and cost,	1,756
Board of Enginemen and Conductors, on the road,	770
	<hr/> 8,646

Engaged in Repairs of Engines and Cars.

Thomas Elliot, Foreman,		1,000
William Kirkham, Machinist, \$ 11 per week,		550
Chas M. Thayer, do do		550
Reuben Andrews, Machinist, at 10 per week,		550
A. Brockwell, do 8 do		400
H. Gill, Blacksmith, 10 do		500
F. B. Collins, do 9 do		450
Ned do		250
John Roberts, Carpenter, \$10 50 per week,		525
E. Jones, do 9 do		450
Wm. Jones, do 8 25 do		412
John Moody, do do		412
Thos. Hudson and D. P. Crawford, apprentices,		450
6 negro strikers and laborers,		660

7,109

Engaged in repairs of Road—1st Division

R. Taylor, Overseer,	500
20 negro carpenters and laborers,	1,610
	2,110

Second Division:

James Richardson, Overseer,	360
12 negro carpenters and laborers,	961 25
	1,321 25

Engaged in laying new iron, which we are now doing on the whole Road.

J. B. Smith, Engineer,	\$ 1000
E. H. Stevens, Overseer,	540
J. Reams, do	400
James. Magee, do	400
P. Thomas, do	250
42 hands, hire and finding,	\$ 3,482 65
	6,073 65

9,508 90

Steamboats on Roanoke.

James Matthews, Captain,	860
R. Matthews, Engineer,	360
2 hands,	280

1,000

Cost of running Omnibusses.

Contract price for running 3 Omnibusses, and	
2 Baggage Waggons at Weldon,	1,440
Do 1 Omnibus & 2 Baggage Waggons, Petersb'g,	375

1,815

Our proportion of the expense of passenger	
agents in Baltimore, and at Weldon,	850
Total annual cost of officers, agents, workmen	
and laborers,	\$ 42,104 40

Notes.—There are five Directors of the Company, 3 appointed by the Stockholders, and 2 by the Board of Public Works. They receive no salary or perquisites.

H. D. BIRD, President.

PORTSMOUTH AND ROANOKE RAIL ROAD COMPANY.

Office Portsmouth and Roanoke Rail Road Company,
 Portsmouth, February 17, 1843. }

J. BROWN, Jr., 2d Auditor,

DEAR SIR—Your letter, enclosing a copy of a resolution from the Senate, requesting the 2d Auditor to furnish them with a list of the names of the Officers and Directors of each Navigation and Rail Road Company, in which the Commonwealth is a shareholder, with the salary and perquisites to which each man is entitled, &c., has been received. Agreeably to your request, I transmit the following list of Agents and Officers, connected with this Company, with the salaries annexed.

Very respectfully, your most obedient servant,

WALTER GWYNN,* President

P. & R. R. C.

List of Officers and Agents connected with the Portsmouth and Roanoke Rail Road Company,

Walter Gwynn, President and General Agent,

Wm. H. Thompson, Director, } Appointed by the State,

Caleb Bonsal, do
 William Collins, Director, }

Thomas T. Wiatt, do } Appointed by the Stockholders,
 Wm. A. Spark, do }

	per annum.
Walter Gwynn, President and General Agent—salary	1,500
Holt Wilson, Treasurer,	600
John B. Levey, Agent Transportation Portsmouth Depot,	700
James C. White, Clerk and Ticket Agent, do	450
Daniel S. Leffler, Superintendant of Shops,	1,000
Clement C. Rochelle, Superintendant of road repairs,	600
Thomas J. Martin, Conductor,	420
Jesse Parker, do	420
Joseph Hornsby,* Depot Agent, Suffolk,	400
James Eley,* Carrsville,	200
John R. Williams,* Franklin,	400
John M. Neale,* Newsom's,	200
John Ramsay,* Mgtville,	300
Edward Beaton,† Boykin's,	130
William T. Whitfield, Weldon,	400
William M. Moody, Jr., Passenger Agent at Weldon,	500
Hamblin Allen,‡ Mail Agent between Weldon and Garysburg, and Guard to Weldon Bridge,	180
John Council, Mail Carrier between Norfolk and Ports'h.	72

* With two hands.

† With one hand.

‡ Board found.

RICHMOND AND PETERSBURG RAIL ROAD COMPANY:*Office of the Richmond and Petersburg R. R. C. }*

February 15, 1843. }

JAMES BROWN, JR., 2d Auditor,

SIR—In accordance with your circular of the 14th inst., enclosing a copy of the resolution of the Senate, asking a list of the names of the Officers and Directors, with the salary and perquisites to which each man is entitled, placed opposite his name, to which you wish to be added the name of every officer and agent receiving a yearly salary, as well as those employed by the year, but receiving monthly wages. I hand you the inclosed list, which contains all you ask, correctly extracted from the Company's books.

The list includes, as you will perceive, some who are neither "officers," nor "agents," nor "directors," but who, being paid monthly, it was thought best to list them.

Besides these, there are no other men employed by us, except mechanics employed by the day, as occasion requires, and negro laborers hired by the week or year, an estimate of the expense of whom, I have heretofore handed you.

Very respectfully, your obedient servant,

J. H. HOPKINS,

Supt. of Trans. R. & P. R. R. C.

List of Directors and Officers of the Richmond and Petersburg Rail Road Company, with their salaries and perquisites, including all men regularly employed, and paid monthly.

Name.	Office, or Employment.	Salary.	Perquisites.
Holden Rhodes,	Director,	none.	none.
James Bosher,	do	do	do
Charles Ellis,	do	do	do
John Bragg,	do	do	do
Rich. B. Haxall, V. P. now acting President,		\$ 500 pr. an.	do
John H. Hopkins, Sup. of Transportation,		1,500 do	do
John Williams, Treasurer and Clerk, Ticket Agent, and Freight Collector,		1000 do	do
Alexander Kersey, Freight Agent, Richmond,		500 do	do
James Lynch, Agent, Pocahontas,		700 do	do
Frederick Butler, Train Conductor,		45 per month,	
	board on the line.		
T. R. Lauther, Engine Runner,		\$ 1 75 per day,	do
William O. Thomas, do		1 75 do	do
Levi Taylor, Watchman and Yard Manager,			
Richmond,		\$ 45 per month, none.	

William Short, Watchman, Pocahontas,	1	per day,
William Wells, Road Carpenter,	1	25 do
William Smith do	1	25 do

Watch-houses at Bridges, free of rent.

The above contains a full and correct list of all the officers and men employed by the Company, excepting mechanics employed by the day, as occasion requires, and negro laborers.

J. H. HOPKINS,

Superintendent of Transportation.

Richmond, February 15, 1843.



**RICHMOND FREDERICKSBURG AND POTOMAC
RAIL ROAD.**

Richmond, Fredericksburg and Pot. Rail Road Office, }
Richmond, 22d February, 1843. }

JAS. BROWN, Jr., 2d Auditor,

SIR—In compliance with your communication of the 13th inst., to the President and Directors, I hand you herein a list of the President and Directors, Officers and Agents of this Company.

Very respectfully, your obedient servant,

C. W. MACMURDO, TR.

Moncure Robinson, President,		\$ 2,500
Nicholas Mills,	} Directors. No pay.	
James Bosher,		
Gus. A. Myers,		
Jesse Snead,		
Geo. W. Munford,		
Thomas Sharp,	Superintendent Transportation,	2,500
C. W. Macmurdo.	Treasurer and Secretary,	1,800
Jos. M. Myers,	Assistant Treasurer,	800
Wm. H. Allen,	Ticket and Freight Clerk,	700
John W. Smith,	Assistant in Freight Office,	400
A. McCanslant,	Foreman of Machine Shops,	900
Samuel P. Bibb,	} Overseers of hands, each	
Chas. W. Coleman,		500
E. C. Marshall,	do do on new road,	416

R. F. Omohundro,	Depot Agent on Louisa Road,	} Each \$270
T. L. Swift,	do do	
A. W. Talley,	do do	
R. R. Price,	do do	
Wm. A. Moody,	do do	
Wm. W. Mallory,	Depot Agt. on Fred. Road,	
Chas. Woolfolk,	do do	
P. L. Hunter,	do do	
Wm. Timberlake,	do do	
M. W. Bailey,	Depot Agent at Fredericksburg,	400
Wm. Bowen,	Depot Agent at Acquia Creek,	200



WINCHESTER AND POTOMAC RAIL ROAD CO.

Office Winchester and P. R. R. Co.
February 18, 1843. }

J. BROWN, JR., 2d Auditor,

SIR—In accordance with the resolution of the Senate, I herewith transmit a list of the Officers and Directors of the Winchester and Potomac Rail Road Company.

President,	William L. Clark.
Directors,	David W. Bartow,
	James M. Mason.
	Charles H. Clark,
	Hugh H. McGuire,
	A. L. Baldwin,
	Nathan Parkins,
	Andrew Hunter,

SALARIES.

President and Supt. of Transportation,	W. L. Clark,	\$1,700
Depot Agent and Treasurer,	J. Geo. Heist,	900
Clerk and Collector,	O. M. Brown,	600
Depot Agent at Harper's Ferry,	Henry Brown,	500
Supt. of Engines and Machine Shop,	Wm. Ettinger,	730
3 Engineers, when in actual service, at \$1	50 per day.	
3 Firemen,	do 1 do	
Hands engaged in repairs, do	87½ c. to \$1 12 per day.	

Respectfully submitted,

WM. L. CLARK, President.

JAMES RIVER AND KANAWHA COMPANY.

Office of the James River and Kanawha Company,
February 23, 1843.

J. Brown, Jr., 2d Auditor,

SIR—I herewith enclose you a reply to your favor of the 13th instant, in regard to the Officers and Directors of the James river and Kanawha company, called for by the joint Resolution of the two Houses of the Legislature of the 13th inst.

Very respectfully, your obedient servant,

JOSEPH C. CABELL,

P. J. R. and K. Co.

Officers and Agents of the James river and Kanawha company, and their salaries for the year 1843.

Joseph C. Cabell,	President, salary,	per annum,
Hugh Caperton,	Directors, pay \$4 per diem	\$2,500 00
Richard Sampson,	when in attendance at the Board	
Tho's M. Bondurant,	and 15 cents per mile for travelling expenses in coming to and returning from meetings.	
John M. Harvey,	Meetings of the Board held quarterly.	
Smithson H. Davis,		
John A. Lancaster,	Secretary, salary,	3,000
Corbin Warwick,		
W. B. Chittenden,	Clerks, salary, each	900
R. T. Lynch,	Superintendent, 1st division canal,	1,500
C. O. Gerberding,		300
Richard Reins,	Overseers on 1st division canal,	300
Charles Ammonett,		250
A. Ammonett,	Engineer & Sup't on 2d div. of canal,	1,500
John Fagan,		300
E. H. Gill,	Overseers on 2d division of canal,	250
James B. Merlick,		300
Thomas A. Carter,	Overseers attend'g dredging machine,	250
James Maxwell,	Stone-mason at \$1 per diem & board,	
N. Mayo,	Toll gatherer at Richmond,	1,000
Dunstan Grant,	Toll gatherer's clerk at Richmond,	500
James P. Tyler,	Toll gatherer at Scottsville,	500
William A. Carter,	Toll gatherer at Lynchburg,	800
Harry L. Read,	Inspector of boats,	800
Samuel J. Wiatt,		
William Scott,		

LOCK-KEEPERS.

Thomas Foster,	Lock 1 and 2	600 00
P. Roach,	" 3 and river lock,	225
R. Smoot,	" 4, 5, 6 & guard lock at B. dam,	450
J. Robertson,	Guard lock at Maiden's Adventure,	250
J. Murphy,	Locks 7 and 8	250
J. Tibbs,	9	150
E. Murphy,	10	150
R. Newman,	11	150
J. C. Philpotts,	12	150
M. Kidd,	13	150
Samuel Smoot,	14	150
Lewis Sillars,	15	150
Jos. Clements,	16	150
C. Bugg,	17	150
S. S. Bugg,	18 and 19 and Feeder gate,	250
J. Ingersoll,	20 and 21	250
A. Thomas,	22	150
G. Thomas,	23	150
Thomas Hill,	24	150
E. P. Burnett,	25	150
James Landrey,	26	150
H. Bailey,	27	150
W. N. Childress,	28	150
William Staton,	29	150
J. Morriss,	30	150
H. N. Carroll,	31	150
William Childress,	32	150
J. Matthews,	Guard 32	150
John W. Conner,	Comb. 33 and 34	150
James M. Bryant,	Lock 35	150
Edw. McFadden,	36	150
John Berry,	37	150
Thomas C. Conner,	38	150
N. Kidd,	39	150
E. H. Gill,	40	150
M. Mosby,	41	150
A. Hansmann,	42	150
James Maxwell,	43	150
John Hood,	44	150
William Casey,	45	150
Robert Watkins,	Guard 45 and river lock,	150
Charles McCarthy,	Locks (comb. 46 and 47,)	200
Samuel Vlar,	48	150
M. P. Wright,	49	150
James B. Martick,	50	150
Jim Briggs,	51	150
Wood,	Guard Lock 51	150

Ferry-men.

John H. W. McBride,	Ferry at New Market,	\$120 00
B. S. Morriss,	" Hardwicksville,	200
Wren and Seay,	" New Canton,	200
James C. Walton,	" Bent Creek,	200

Agents on the Richmond Dock.

Edwin Robinson,	Toll-gatherer on the Dock at and 5 per cent. commission on the Dockage collected by him in full of office rent and all expenses.	600
Bat Graves,	Lock-keeper at the Dock in full of all expenses,	375

Agents on the Western Improvements.

Ezra Walker,	Agent on Western Improvements,	1,500
James L. Carr,	Collector of Tolls at Kanawha river,	1,000

Gate-keepers on the Kanawha and Guyandotte Turnpikes.

Robert Dickson,	9 per cent. commissions on all collections,	
S. Branham,	ditto	
Jos. Hopkins,	ditto	
T. Hickman,	ditto	
John Dunn,	ditto	
Miles Manson,	occupancy of the company's house rent free.	
M. Hansford,	9 per cent. commission on his collections.	
John Lewis,	ditto	
Robert Blaine,	ditto	
A. Myners,	ditto	
A. Black,	ditto	
William Derton,	ditto	

RAPPAHANNOCK COMPANY.

Fredericksburg, 21st Feb. 1848.
JAS. BROWN, Jr., 2d Auditor,

The President of the Rappahannock Navigation Company, makes the following report, agreeably to the resolution of the Legislature, passed the 13th inst., viz:

Yeamans Smith, President—salary \$500.

Thomas F. Knox, State Director.

John H. Wallace,

John P. Kelly,

William Skinker,

T. H. Ramsey,

John Metcalf, Sec. and Treasurer, only \$150.

The Canal is now let out to sundry persons who have the use of it for keeping the works from going to destruction. The President or Secretary and Treasurer, have not received, neither have they charged any thing for services rendered the Company since 1839. There is due the President, on account of his salary, previous to the above date, \$728 90, and to the Secretary and Treasurer, for money advanced for the Company, since that period, as the last return to the Auditor will show, \$241 84.

All which is respectfully submitted.

Yours, &c.

YEAMANS SMITH, President.

RIVANNA NAVIGATION COMPANY.

Pirens, Feb. 20, 1848.

J. BROWN, JR., 2d Auditor,

DEAR SIR—Owing to absence from home, yours of the 13th inst., was not received till this evening, and supposing it very important to avoid delay, as the session of the Senate is approaching its close, I send you the information asked, without waiting for a meeting of the Board of Directors.

Very respectfully, your most obedient servant,

W. H. MERIWETHER,

Pres. Riv. N. Company.

A list of the names of the Officers and Directors of the Rivanna Navigation Company, with the salary and perquisites to which each man is entitled, opposite his name.

Office.	Name.	Salary.
President,	W. H. Meriwether,	per day \$5 00
Directors,	Daniel F. Carr,	do 8 00
	Luther M. George,	do 8 00
	John H. Craven,	do 8 00
	Thos. Maton,	do 8 00

Treasurer and Sec'y,	D. F. Carr,	3 per cent. on all mo. paid out by him.
Super't of Repairs,	Wm. Gillespie.	\$1 25 per day, when working on land, and \$1 50 on river.
Toll-keeper at Rivanna Mills,	Geo. W. Ashlin,	\$15 per month.
Toll-keeper at Pirens,		12½ per cent. on all articles not passing the Rivanna Mills,
Lock-keepers at Pirens,	W. H. Meriwether	per year \$10
Milton,	Naphter C. Sneed,	10
Union Mills,	George Moore,	10
Palmyra,	Abram Shepherd,	10
Rivanna and Columbia,	Geo. W. Ashlin,	20
		W. H. MERIWETHER, Pres. Riv. N. Co.

UPPER APPOMATTOX COMPANY.

Petersburg, Feb. 15, 1843.

JAS. BROWN, JR., 2d Auditor,

DEAR SIR—Your letter of the 13th inst., enclosing a resolution of the Senate, asking for “a list of the names of the Officers and Directors of each Navigation and Rail Road Company, in which the Commonwealth is a shareholder,” has just been received, and I hasten to comply with your request, by annexing a list of the officers of the Upper Appomattox Company, as far as I am able.

Trustees—the first 5 of whom, are also Superintendents.

Nathaniel E. Venable,	Samuel W. Venable,
Thos. L. Morton,	John R. Palmere,
Francis Anderson,	James D. Wood,
Samuel D. Morton,	of Charlotte,
Wm. H. Venable,	Henry E. Watkins,
Thomas Whitworth,	John H. Steger,
Clement C. Read,	F. C. Stainback,

These Officers have no salaries.

S. D. Morton, Toll-collector, Book-keeper and Treasurer, annual salary 1,000 dollars.

John Michael, Lock-keeper, annual salary 150 dollars, 500 pounds pork, and 10 barrels corn.

There are a few persons employed up the river, in prosecuting the new improvement, but I am not certain that I could give you a correct list of their names, or the amount of their salaries; and I will forward your letter to Mr. Venable by the next mail, and request him to furnish you with the list.

Yours, respectfully,

S. D. MORTON,

*Petersburg, Feb. 20, 1843.***JAMES BROWN, JR., 2d Auditor,**

DEAR SIR—I saw Mr. N. E. Venable to-day, and he requested me to inform you, that the only Agents now employed on the river, by the Upper Appomattox Company, are—

John Fretwell, Superintendent of the works on the river, annual salary 600 dollars,

Wm. J. Foster, Assistant Superintendent of the works on the river, annual salary 300 dollars.

I believe that the laborers employed in executing the work, are slaves.

Yours, respectfully,

S. D. MORTON.



LOWER APPOMATTOX COMPANY.

*Petersburg, 16th Feb., 1843.***JAMES BROWN, JR., 2d Auditor,**

DEAR SIR—Below, I hand you the names of the present Directors of the Lower Appomattox Company, and also, that of the Collector of Tolls, and his salary.

Very respectfully, your obedient,

JOS. BRAGG, President,
L. App. Company.

Jos. Bragg, John V. Willcox, Jabez Smith, Benj. Boisseau, Rob't B. Bolling, 2 vacancies.	}	Directors.
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Charles Kent, Collector, \$ 120, salary.

DISMAL SWAMP CANAL COMPANY.

Dismal Swamp Canal Company, }
18th February, 1843. }

J. BROWN, JR., 2d Auditor,

SIR—In the absence of the President, I received yours of the 13th inst., and in compliance with the resolution of the Senate, I send you hereto annexed, a list of all the officers and servants of this Company, with their annual allowance, and their monthly pay. Except the President and Treasurer, they all are paid monthly, and all hold their appointments during the pleasure of the President and Directors.

If any proof should be required of the monthly pay, you can be furnished with it in the most satisfactory form, but that, I apprehend, will not be required.

I am, very respectfully, Sir, your obedient servant,

JOHN COWPER.

A list of Officers and servants, in the employment of the Dismal Swamp Canal Company, during the past, and for the present year, with their annual salaries, and monthly pay: perquisites, they have none, excepting the Toll-keeper and Lock-keepers, who occupy houses owned by the Company, and all hold their offices during the pleasure of the Company.

		<i>Annual pay.</i>	<i>Monthly pay'ts.</i>
James Cornick,	President,	\$ 750	
Alex'r Feret,	Treasurer,	150	
A. J. Herbert,	Manager,	600	\$ 50
W. Williams,	Lock-keeper,	300	25
A slave,	Assistant,	168	14
Leroy G. Edwards,	Toll-keeper,	750	62 50
J. W. Simmons,	Lock-keeper,	300	25
Slave,	Assistant,	168	14
J. Overton,	Lock-keeper,	180	15
John McPherson,	do	180	15
B. Forehand,	do	168	14
J. Henly,	do	180	15
J. Hand,	do	144	12
Servant for Toll Office, a coloured man,		168	14

\$ 4,206

Swepson Herbert, Lock-keeper, appointed Jan. '43, new lock at Gilmerton,

300

25

JOHN COWPER,
A-Director of the Company.

February 18, 1843.

ROANOKE NAVIGATION COMPANY.

Weldon, February 20th, 1843,

J. BROWN, JR., 2d Auditor.

DEAR SIR—On my return from Raleigh last evening, I received your letter of the 13th instant, transmitting to me a Resolution of the Senate of Virginia, requesting that the Second Auditor furnish “the Senate with a list of the names of the Officers and Directors of each Navigation and Rail Road company in which the Commonwealth is a share-holder, with the salary and perquisites to which each man is entitled, placed opposite his name.” To enable you to comply with the Resolution, so far as the same has any relation to the Roanoke Navigation company, I subjoin the following statement, which affords the information sought to be obtained,

I am very respectfully,

Your obedient servant,

A. JOYNER,

Samuel Pannill,	President,	
Edward T. Brodnax,		} Directors,
Thomas McGahee,		
George D. Baskervill,		
William Bailey,		
Edward B. Hicks,		
Weldon N. Edwards,		
James C. Bruce,		

The President and Directors of the Roanoke Navigation Company, receive no compensation whatever, for their services. Their necessary expenses are paid while attending to the business of the Company, which do not exceed 20 dollars each per annum.

A. Joyner,	Treasurer, Sec'y and Gen'l Agent, salary \$350.
Sam'l W. Pugh,	Toll-collector at Gaston, 5 per cent. commission on amount collected.

Thos. T. Wiatt,	do.	Weldon,	ditto	ditto
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The average compensation of the former is about \$350, per annum, and of the latter, about \$150,

Eli B. Pearson, Overseer, one dollar per day.

PRESENT AND PROPOSED SALARIES.

STATEMENT

Of the present Salaries of sundry Officers and Agents of the Commonwealth, and of the Reductions proposed by the Joint Committee on Retrenchment, prepared by an order of the Senate of the 18th February, 1843.

Officers or Agents.	Present Salaries.	Proposed Salaries.	Reduction.
Governor,	\$ 3,233 33	No change,	
3 Councillors, each,	1,000	ditto,	
Secretary of Com'wealth	1,620	\$ 1,400	\$ 220
Copying Clerk,	500	300	200
Assistant Clerk to Sec'y	1,000	800	200
Clerk of the Council,	1,000	No change,	
Doorkeeper of the Council who is keeper of the keys of Capitol,	750	600	150
Clerk E. Court Appeals,	1,000	800	200
Do. W. ditto	1,000	800	200
Crier, per day,	5	4 per day,	1 a day,
Tipstaff, do.	5	4 do.	ditto,
Clerk General Court,	500	400	100
Sheriff, per day,	5	4 a day,	1 a day,
Crier, do.	5	4 do.	1 a day,
Tipstaff, do.	4 16	3 50 do.	66 cts. a day,
Attorney General,	1,000	800	200
Treasurer,	2,000	1,600	400
First Clerk,	900	800	100
Second do.	600	No change,	
Auditor of Accounts,	2,000	1,600	400
Clerk Accounts,	1,400	1,100	300
First Clerk,	1,100 salary & \$ 3 a day when acting as Auditor, usually 300 a year,	1,100 and no addition,	300
Second Clerk,	750	700	50
Third Clerk,	600		
Temporary Clerk,	50 per month,		
Second Auditor,	2,000	1,600	400
First Clerk,	900	800	100
Second do.	600		
Register Land Office,	1,500		
First Clerk,	1,100	800	300
Second do.	600	proposed to be abol'd	600
Public Printer,	2,600	2,000 and	600
and allowances for extras,		allowances,	
Superintendent of Pen- itentiary, with residence and fuel,	2,000	1,500 with resi-	500
First Assistant Keeper,	700	600	100
Second ditto	700	600	100
Third	600	550	50
Fourth	600	550	50
Fifth	600	550	50
Sixth	600	550	50
Seventh	600	To be abolished,	600
With \$ 100 worth of manufactures to each annually.			

Office or Agents	Present Salaries	Proposed Salaries	Reduction
Clerk to Penitentiary,	\$ 600		
Surgeon to Penitentiary and Public Guard,	900	\$ 1,000 and to do the duty of Vaccine Ag't,	
Vaccine Agent,	500	To be abolished,	400
5 Directors of the Penitentiary, each,	150	To be abolished & duties to devolve on Councilors,	750
Interior guard of Penitentiary, 4 persons,	30 per month,	To be abolished,	1,440
Gen'l Ag't of Penitentiary	8 per ct. com.	7 per ct. com.	1 per cent. saved,
Adjutant General,	100		
Speaker of Senate,	6 per day,	to be 4 after 85 days,	
Other members of Senate,	4 do.	2 do.	saving
Speaker of H. of D.	8 do.	4 do.	conjectural
Other members,	4 do.	2 do.	
Clerk of Senate,	75 per week,	to be 42 per week,	\$ 33 a week,
Sergeant-at-Arms to Senate,	50 do.	to be 4 per day for 85 d's & 2 after w'ds,	
Door-keepers,	4 per day,	same as members,	
Printer to Senate,	600 and allowances.	500 and allowances,	100 per year
Clerk of H. of D. who is Keeper of the Rolls,	300 salary & 150 a week during session	No change.	
Sergeant-at-Arms to H. of Delegates,	30 per week,	same as members,	
Door-keepers,	28 a week,	same as members,	
Pages, two,	1 50 a day,		
Clerks, Committees,	5 a day,	same as members,	\$ 1 a day saved,
Sweeper,	3 do.	1 50 a day,	1 50 each day
Captain of the Public Guard,	1,402 68 a year,	1,200 a year,	
Lieutenant & Paymaster,	1,008 52 quarters & fuel,	900 quarters and fuel,	202 68
Lieutenant,	828 76 quarters & fuel,		108 52
Board of Agriculture,	3 a day and travelling expenses,	To be abolished,	conjectural

STATEMENT

Of the present salaries of all Officers, Agents, Engineers, &c. in the employment of Internal Improvement Companies.

CITY POINT RAIL ROAD COMPANY.

President and superintendent, per annum,	\$1,000 00
Book-keeper and Treasurer, " "	600
Agent at City Point Depot, " "	600
Petersburg, do " "	550
Agent of train, " "	250
Engineer of Train, " "	600
Assistant do and machinist, " "	600
Train hand, " "	120
Fireman, " "	120
Blacksmith, " "	120
Striker, " "	120
Carpenter, " "	120
Laborers at Depots, 12—each, per month,	50
per annum,	600

LOUISA RAIL ROAD COMPANY.

Officers' salaries not stated in the last annual report of the company:

PETERSBURG RAIL ROAD COMPANY.

President, per annum,	\$3,000 00
Treasurer and Book-keeper, " "	1,500
Clerk and Ticket Agent, " "	480
Receiving agent at Petersburg depot, " "	720
Delivering agent, do " "	600
Overseer of hands, do " "	350
1 agent, and 3 hands at Stoney Creek, " "	650
Do Jarratt's, " "	600
Do Belfield, " "	600
1 agent and two hands at Pleasant Hill, " "	500
1 agent at Blakely, " "	427 50
7 engine men, wages and board on line, " "	5,240
3 conductors, do " "	1,560
11 firemen and train hands, do " "	2,040
Firemen of shops, " "	1,000
4 machinists, " "	2,000
4 blacksmiths, " "	1,425
6 carpenters, " "	2,100
7 strikers and laborers, " "	1,025
2 apprentices, " "	350
3 overseers on repairs of road, " "	1,350
Agents in Baltimore, Weldon &c, " "	1,395

Agents on the *Greenville Road*, paid by this company, viz:

2 agents at Gaston,	per annum.	850
1 agent and 2 hands at Ryland's,	"	600
1 engine-man on steamboat,	"	360
1 engineer, engaged in laying new track, and superintending bridge and road	"	
building at Weldon,	"	1,000
2 overseers,	"	940

PORTSMOUTH AND ROANOKE RAIL ROAD COMPANY.

President and general agent,	\$1,500 per annum.	\$2,000
Treasurer,	600	800
Agent of transportation,	750	800
Clerk and ticket agent,	450	500
Superintendent of shops,	800	1,000
3 conductors, each	"	450
1 depot agent, with hands,	"	650
1 do do	"	604
1 do do	"	400
8 yes, do do do do do do do do do do	"	350
Passenger agent at Weldon,	"	600
Mail agent between Weldon and Gary's, and guard to Weldon Bridge, (board found,)	"	180

RICHMOND AND PETERSBURG RAIL ROAD CO.

Vice President,	per annum,	\$500 00
Superintendent of transportation,	"	1,500
Treasurer and clerk,	"	1,000
Clerk at Richmond depot,	"	500
at Pocahontas, do.	"	700

RICHMOND, FRED. AND POTOMAC RAIL ROAD CO.

President,	per annum,	\$2,500 00
Treasurer,	"	1,800
Assistant treasurer,	"	500
Superintendent,	"	2,500
Freight and ticket clerk,	"	700
9 country agents, each	"	270
Depot agent at Fredericksburg,	"	400
Engineers per month, \$50, and \$60 each.	"	

ROANOKE NAVIGATION COMPANY.

Secretary and treasurer,	per annum,	\$ 550
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WINCHESTER AND POTOMAC RAIL ROAD CO.

President and general superintendent,	per annum,	\$ 1,700 00
Treasurer,	"	900
Superintendent machinery,	"	730
Clerk and Auditor,	"	600
Agent at Harper's Ferry,	"	500
Conductor passenger cars,	"	450
Transfer clerk,	"	100

DISMAL SWAMP CANAL COMPANY.

President,	per annum,	\$ 750 00
Treasurer,	"	150
Collector of tolls,	"	750
Manager,	"	600
2 lock-keepers,	each "	300
3 do	each "	180
1 do	"	144
1 do	"	168
2 assistant do (slaves,)	each "	168
Toll-office servant,	"	168

PROPOSED REDUCTIONS.

The Retrenchment Committee propose to instruct the directors and proxies of the State, to and in the several Rail Road Companies and Canals of the Commonwealth, to see that the officers of the several companies for which they act, are appointed according to the requirements of the general law upon the subject of joint stock companies, and to use their efforts so to limit the salaries of Presidents in their respective companies, as that the same shall be proportioned to the receipts of said companies, and the services rendered, and at no time to exceed the sum of eighteen hundred dollars; and to reduce the number of officers in said companies, as circumstances may require, and to reduce their salaries and pay, so as not to exceed, in a fair proportion, the amount of reduction in those of Presidents.

JAMES RIVER AND KANAWHA COMPANY.

President,	per annum,	\$ 2,500 00
Secretary,	"	2,000
2 clerks,	each "	900
2 superintendents on canal,	each "	1,500
5 overseers,	each "	300
2 do	each "	250
Toll-gatherer at Richmond,	"	1,000
Clerk to do	"	500
Toll-gatherer at Scottsville,	"	600
Do Lynchburg,	"	600
Inspector of boats,	"	800
1 lock-keeper,	"	600
1 do	"	450
4 do	each "	250
1 do	"	200
1 do	"	200
39 do	each "	150
3 ferrymen,	each "	200
1 do	"	120
Agent on Western improvements,	"	1,500
Collector of tolls on Kanawha River,	"	1,000
7 directors—\$4 per diem, when in attendance at the board, and 15 cents per mile, for travelling expenses. Meetings of the board held quarterly.		

The committee propose to instruct the directors and proxies of the James River and Kanawha company, to reduce the salary of the President of that company, to two thousand dollars;—to reduce the salaries of all superintendents and agents employed on the James River and Kanawha Improvement, between Richmond and Lynchburg, at least 20 per cent., where the salaries now exceed \$400;—and to reduce the salary of the Superintendent or Agent on the western improvements of said company, to \$750, and the salary of the Collector of Tolls on Kanawha River, to the sum of \$750; and to reduce the pay of Directors to three dollars a day, for every day they shall be engaged in business. The Committee propose that no member of the Legislature, being a member of the Directors of the James River and Kanawha Company, shall receive compensation as a Director, while he is receiving pay as a member of the Assembly.

LIST showing the number of officers employed in each of the Turnpike Roads of the Commonwealth, with the pay to each officer, respectively, as far as the returns in the office of second Auditor will show.

Berryville Turnpike Co.

Charleston and Pt. Pleasant T. P. Co.

Fallsbridge T. P. Co.

Fauquier and Alexandria T. P. Co.

Holliday's Cove T. P. Co.

Lafayette & English's Ferry T. P. Co.

Lexington and Cov. T. P. Co.

Little River Turnpike Co.

Lynchburg and Salem T. P. Co.

Natural Bridge T. P. Co.

Rivanna Navigation Co.

Roanoke Navigation Co.

Shepherdstown & Smithfield Turnpike Company,

Snicker's Gap T. P. Co.

Swift Run Gap T. P. Co.

Warm Springs & H. T. P. Co.

Wellsburg & Washington T. P. R.

White & Salt Sulphur Springs,

Treasurer's salary \$25 00.

Allowances to the Sup't & other officers, have averaged \$250 per annum.

Toll-keeper's salary, \$168.

Six gate-keepers, each \$120, Treas'r and Supt. salary \$200.

\$60 per annum. No name.

Officers' salaries \$285 78.

Pres't and Directors receive \$2 per day, when actually engaged in service, & \$1, for attending each meeting of the Board—15 per cent. allowed to gate-keepers, and 1 per cent. to treasurer.

President \$100; 4 Directors, each \$30; Treasurer Comm. 1½ per cent. Superintendent \$500.

Treas'r's Comm. 2 per cent. Toll-gatherers, one at \$300; the other at \$75.

Treasurer & Secretary's salary \$15.

Officers' salaries \$416 27.

Treasurer & Secretary's salary \$350.

Gate-keepers \$70, & \$80. Secretary and Treasurer \$25.

Treas. Comm. \$41 07½; 3 gate-keepers, each at \$120 per an.

1 Sup't, \$262 50; Sec'y & Tr.

\$100; 1 gate-keeper, at \$250;

and 1 gate-keeper, at \$200.

Expenses of Secretary, Treasury and Directory, &c. \$198 50.

Clerk, \$20.

President \$2, Directors 1 50,

Clerk \$2 per day, Treasurer 1 per cent.

Weston & Charleston Road,

Kanawha Turnpike Road,
Valley Turnpike Company,

Ashby's Gap Turnpike Co.

North-western Turnpike Road,

Staunton and Parkersburg Road,

Price's Turnpike & Cumberland
Gap Road,

Cumberland (Nat.) Road, in Va.

Commissioner \$1 50 per day,
while in service.

Agent \$1,500 per annum.

Officers' salaries \$1,090 67—
Gate-keepers \$233 17.

5 Gate-keepers \$750, Treas'r
Comm. \$82 42. No other sa-
lary paid.

Superintendent's salary \$1,000,
and travelling expenses; gate-
keepers 9 per cent. commission
on receipts; overseers, 3 to 4,
at \$30 per month.

2 Supt's, each at \$600, with
travelling expenses; gate-keep-
ers 12 per cent. on receipts; one
overseer, at \$30 per month.

One Engineer, \$3 per day,
and necessary expenses, while
actually engaged on duty; 9
directors, \$2 per day; 6 trea-
surers, each 1½ per cent. on
disbursements.

One superintendent, at \$300;
1 toll-gate keeper, \$250.

The Committee propose to instruct the proxies of the State to vote to reduce the salary of the Superintendent of the North-western road, to six hundred dollars and expenses; and to reduce the salary of the Superintendent of the Staunton and Parkersburg Road, to six hundred dollars—and to allow but one Superintendent to each road.

They further advise, that the proxies of the State be instructed to reduce the salaries of all officers of Turnpike Roads, not otherwise reduced, at least twenty per cent.

They propose to the General Assembly, to abolish the office of Chief Engineer.

Respectfully submitted,

FAYETTE McMULLEN, Chair'n, C. S.
W. D. LEAKE, C. C. H. D.

AMENDMENTS

REPORTED BY THE COMMITTEE OF FIFTEEN, TO THE BILL,

*“ For arranging the Counties of this Commonwealth into districts
to choose Representatives to Congress.”*

2d District, after the word “Dinwiddie,” insert “Lunenburg,”

4th District, strike out “Lunenburg and Fluvanna,” and insert
“Bedford.”

5th District, strike out “Bedford,” and insert “Fluvanna and
Louisa.”

6th District, strike out “Louisa.”

7th District, strike out “Northumberland and Lancaster,” and
insert “King and Queen and Middlesex.”

8th District, strike out “King and Queen and Middlesex,” and
insert “Northumberland and Lancaster.”

12th District, strike out “Logan,” and insert “Randolph.”

14th District, strike out “Wood,” and insert “Logan.”

15th District, strike out “Randolph,” and insert “Wood and
Ritchie.”

REPORT

OF THE

COMMITTEE ON THE JAMES RIVER COMPANY.

The Special Committee, appointed "To investigate the condition and affairs of the James river and Kanawha company, and particularly the proceedings and conduct of the present officers of said company in the management thereof,—and further to inquire whether any part of the guaranty granted to said company by the Commonwealth has not been used by said company or demanded by its creditors, or whether the company has entered into any arrangements to use the said guaranty,—and to report at as early a day as practicable the result of their investigation and inquiry," having performed the said duty, respectfully report,

That, a committee having been appointed about the same time, and under similar resolution, by the House of Delegates, it was considered proper, as a saving of time and labor, to pursue the investigation jointly, and each committee adopted a resolution to that effect.

In order to make such a report of the condition and affairs of the company, and the proceedings and conduct of its officers in the management thereof, as the importance of the subject and interests of the Commonwealth seemed to demand, the committees determined in the first place to inspect the principal works of the company, extending from Richmond to the western base of the Blue Ridge, and, having obtained leave from their respective Houses, they started from Richmond for this purpose on the 24th day of January, and on the evening of the 28th reached the western terminus of the improvement at the mouth of North river, in the county of Rockbridge. Returning more rapidly, they arrived in Richmond on the 31st, having examined as carefully as the time would allow, and aided by the explanations of the Engineer, Superintendents and President of the company, the location and construction of the canal, and more particularly all the works of art upon the line.

Upon their return, the committees examined the books and papers in the office of the company, with such evidence as was found there, or procured at their request by the President, calculated to throw light upon the various objects of their inquiry. The documents and tabular statements appended to this report, furnish a condensed view of the evidence before the committee, except the annual reports and the several acts of Assembly relating to the company.

These papers will be found to contain a great amount of rare and valuable information, well worth preservation among the records of the Legislature for future reference. A brief exposition of this evidence, with the observations of the committee, founded upon their personal inspection, will constitute such a report as they deem pertinent under the resolution; and in making this they will follow, generally, the order of the documents.

1. *Plan and dimensions of the Canal.*

By the 23d section of the act of incorporation, passed 16th March, 1832, the *minimum* dimensions of the canal were prescribed at 40 feet width at top, 28 feet at bottom, and 4 feet depth; and the company at its first organization, in May 1835, fixed the *general* dimensions at, surface breadth of 50 feet, bottom 30 feet, and depth 5 feet, authorising variations, for good cause, from these general dimensions: It was also decided that the locks should be at least 85 feet between the gates, and 15 feet wide.

In the construction of the canal, the President and Directors adhered to the minimum dimensions fixed by the Stockholders, except on the first level at Richmond, but deemed it advisable to increase the length of the locks to 100 feet, for the purpose of augmenting the capacity of boats. The adoption by the Stockholders of these enlarged dimensions appears to have been unanimous; they were recommended in the letter of Judge Wright to the Governor of the State in August 1831; were assumed as a basis of printed estimates and statements, advocating the improvement, at three sessions of the Assembly prior to the organization of the company; and the committee is satisfied that they were necessary and proper for a canal intended to connect the Eastern with the trans-Alleghany waters, in corroboration of which opinion they refer to the accompanying Documents marked A and B.

The general dimensions of the canal above given apply to that portion of the line between the first lock, about 3 miles above Richmond, and the town of Lynchburg. From the first lock to the head of the tide, and upon the second division above Lynchburg the plan of the work is necessarily modified on account of peculiarities applicable to those portions of the line.

Lower Level, at Richmond.

This was re-constructed upon its present scale of enlarged dimensions, with a view to the union of a great manufacturing power, with the accommodation due to a crowded trade at this termination. An exposition of the plan, dimensions, and value of this improvement, with the proceedings of the directory and stockholders in relation thereto, may be found in Doc. C. Nos. 1 and 2, and the difficulties attending its execution in the fourth annual report, pages 327 to 334. About the time this work was begun the plan was communicated to the stockholders in the second annual report, page 241, &c. and unanimously approved. Doc. C. No. 2.

Mixed System of Canal and Slack-water.

The charter authorises the occasional adoption of the bed of the river as part of the line of navigation, but in the location subsequently made, it was discovered that there were very few points on the first division favorable to a connection with the river, with a view to economy. Hence it is that only three connections with the river are to be found on the 120 miles between Maiden's Adventure dam and Lynchburg; and that the line of the canal is broken at only two of those points. This induced the act of the 19th March, 1841, authorising the company to erect bridges across the river, at convenient points, for the accommodation of the south-side trade.

But the character of the stream, in the division above Lynchburg, was more adapted to the mixed system of navigation, and here it has been extensively and judiciously introduced. In the report of the Principal Engineer of the State upon this location, at the end of the year 1840, he admits that the great difficulties of this part of the work have been overcome by the liberal intermixture of slack-water navigation; and without essential injury to the character of the work. This modification has produced a saving in the cost of these 20 miles, of about \$750,000. See Doc. D.

Connection with Tide-water through the Richmond Dock.

The whole property of the Richmond Dock Company was sold at public auction on the 9th of July, 1841, and purchased by the James river and Kanawha company at the price of \$100,000, under authority of an act of Assembly passed on the 20th of March, 1841, reciting the purpose and advantages. Although now a detached work, it is designed to connect it with the lower level by a line of locks, bringing together the boats which pass through the mountains, and vessels navigating the ocean.

It is a suitable termination for this great line of improvement, and besides the incalculable advantages it will give to the trade, viewed as a mere investment of capital, the purchase was highly judicious. The repairs and changes deemed necessary upon the dock itself, had been determined on and let to contractors some time previous to the passage of the act of March 25th, 1842, which imposed considerable restrictions upon the powers of the company; and the stockholders, at the called meeting in May following, when they accepted the law, ordered the arrears of subscription to be applied to those contracts. In document E. will be found more full explanation on the subject of this document.

Location of the Canal.

The location of the canal appears to have been conducted with all the advantages to be derived from previous surveys, and with a degree of care and consideration proportioned to the magnitude and importance of the work. The definitive location of the whole line of 174 miles, between Richmond and the mouth of the North river, was completed in successive years as follows: For 73 of the 120 miles between Maiden's Adventure dam and Lynchburg, in the year 1835; for the remaining 47 miles between the same points, in 1836; for the 28 miles between Maiden's Adventure and Richmond, (being a relocation of the old State line,) in 1837; for 5 miles in the second division, above Lynchburg, in 1838; and for the remaining 22 miles of that division, in 1839.

The committee believe that the location is liable to no just objection; that the curvatures unavoidably resulted from the sinuosities of the river, and are developed, as far as practicable, so as to favor the efficacy of the tractile power; and that the line could not have been elevated without an increase of expense wholly inadmissible. Even the annual charge incident to a higher location, would have much exceeded the damage from such unfrequent disasters as the fresh of July last, as will be seen in document O. For further explanations on this head, the committee refers to Doc. F.

New Works of the Company.

A summary view of the new works of the company, embracing a descriptive statement, is presented in Doc. G. By reference to these statements it will be seen that the works in the first division, from Richmond to Lynchburg, making a distance of 146½ miles, are finished and in operation; that those in the second division, making a distance of 27½ miles, are partly finished and in part unfinished, and are not in operation; and that the Richmond Dock is not completed, but is sufficiently advanced to be used by small craft. It is expected that in a few weeks it will be fit to receive the largest class of vessels that can ascend the river in its present state. A summary view under another aspect, of the extent of the work in the first division, is exhibited in the following statement, furnished from the records of the company.

Upon this division there are,	
Of excavation and embankment of earth	8,495,523 cubic yards,
Excavation of rock	461,685 “
Walling and rip-rap	213,715 “

And there are of works of art, 51 lift locks, having a total lift of 427 8-10 feet; 6 guard locks; 1 accommodation lock; 5 dams across the river; 3 dams across arms of the river; 12 aqueducts; 191 culverts, varying in span from 2 to 30 feet; 133 farm and road bridges; 3 towing path bridges; 9 waste-weirs; 1 guard gate; and 5 guage gates. As far as the committee could judge, from a cursory view, aided by a more particular examination at important points, the works of the company, throughout the whole line, appeared to be executed in a skilful, faithful and workman-like style. The masonry, of which it is seen above there is a vast extent and variety on the line, embraces some beautiful specimens of hydraulic construction, reflecting great credit upon the engineers and workmen. The masonry on the second division is superior to that upon the first, being in a style of greater simplicity and strength, and will, in the opinion of the committee, compare with any in the United States. A large portion of the hydraulic cement used in the masonry upon the second division, was furnished from manufactories at or near the mouth of North river, established under the patronage of the President and Directors, and deriving their supplies from quarries upon the line of the Improvement.

Cost of the Canal.

The system of the company has been to pay out of the income from its various works in operation, old and new, the cost of their repairs and maintenance; the annuity of \$21,000 to the stockholders of the old James river company, the interest on its permanent debt, half the salaries of the officers engaged in the general administration of its affairs, and a few other expenses of inconsiderable amount. The other expenditures of the company, from its organization to the 1st of December, 1842, have all been charged to the new works, and distributed among various portions of the line, to which they properly belonged, except the cost of the extensive western surveys, made by order of the stockholders in 1838 and , which are not properly chargeable to the construction of the Eastern works. The cost of the first division of the canal, from Lynchburg to the foot of the basin at Rich-

mond, a distance of 146 6-10 miles, ascertained according to the above system, was \$5,006,453 29, being about thirty-four thousand, one hundred and fifty dollars per mile. For more particular information on this head, see Doc's. H and I.

The committee have found nothing in the course of their inquiries to warrant the belief that the President and Directors have been wanting in economy, either in the construction or conduct of the work. On the contrary, their care in regard to assessments, explorations for stone and hydraulic lime, forms of contracts, mode of lettings, settlements of accounts, &c., furnishes such evidence of zeal, judgment and attention to details, as justifies the conclusion that the cost of the work was as low as was consistent with the plan. The cost of other canals, although by no means a certain, is yet some test of the economy of this; and it will be seen that the James river and Kanawha canal has been constructed at a less rate per mile than either of the two nearest great lines to the North of us, rivals for the same Western trade. The excess of the cost of those lines per mile, over the cost of this, is as follows: Of the main line of the Pennsylvania canal \$11,584; and of the Chesapeake and Ohio canal \$21,255. Doc's. J and K.

Another test of the economy of the work is a comparison of the cost with the original estimates. In 1831, Judge Wright, in a letter to Governor Floyd, recommending the construction of a canal along the present line, of the dimensions finally adopted, but with less masonry, estimated the cost at about \$20,000 per mile. The plan subsequently adopted, on more mature examination and advisement with him, comprised the more enlarged scale of masonry which now prevails on the line. Making due allowance for the difference in the masonry, and for the great increase of prices before the execution of the work, it will be found that his estimate was greater in proportion than the actual cost. On this subject see Doc's. L. and M.

Before dismissing the subject of the cost, it may be proper to advert to the economical effect of the low location of the canal which was adopted by the company. From the evidence contained or referred to in Doc's. N. and O., it is deduced that the increased cost of raising the Chesapeake and Ohio canal between dam No. 5 and Cumberland, a distance of 77½ miles, will amount to about \$17,306 per mile. Taking this as a standard of calculation for the effect of a similar elevation of the 146½ miles of the first division of the James river and Kanawha canal, it appears that the cost of the division would have exceeded the actual expenditure by the sum of \$2,537,059.

Management of the Canal.

A printed pamphlet has been laid before the committee, containing the "Regulations for the navigation and management of the James river and Kanawha canal," covering thirty-eight pages. This system the committee have not had time, nor did they deem it necessary, to examine minutely. It appears to be very comprehensive and minute; is said to embody the results of experience upon the northern lines; and as far as we can judge from its practical operations in producing regularity of movement, prompt repair of damages, and general satisfaction, we are authorised in concluding that it is a judicious and well considered system.

Books, Papers, and Accounts.

In exhibiting the books, papers, and accounts of the company to the committee, the President expressed a wish that every department of the office should be thoroughly investigated. The attention of the committee was mainly directed to the manner of keeping and balancing the books, the mode of settling and adjusting the accounts, the method of making payments and taking vouchers for the same, and the classification and arrangement of the books, papers, and documents belonging to the office. In all these particulars the committee found nothing to complain of. The President of the company exhibited as evidence a series of certificates from a standing committee of the stockholders, showing that the office had been very strictly examined periodically by said committee, and that said examination was entirely satisfactory. Copies of these certificates are appended, in Doc. Q.

Agency.

In regard to this subject the committee are not competent to form or express an opinion, for the utmost experience and familiarity with such a work is required to determine upon the necessary amount of agency. The care and economy evinced by the President and Directors in the annual reports and proceedings, and the high reputation of Judge Wright, the first Principal Engineer of the company, gives, in the opinion of the committee, sufficient assurance that no extravagance has existed in this respect. The salaries do not appear to the committee to have been fixed too high. Indeed those to the engineers are less than were paid upon works of so great magnitude in other parts of the country. The expense of agency is shown in the Doc's H. and I. before referred to.

Financial Operations—Issue of Post Notes.

In Doc. T. will be found the vindication of the policy of the company in issuing post notes, presented to the stockholders in the fifth annual report, shortly after the introduction of the system.

Negotiations of the Guaranteed Loan.

The President of the company laid before the committee the papers and correspondence relative to the negotiations of the loan authorised by the act of the 23d of March, 1839, with a request that they would investigate particularly,—1. The subject of the alleged countenance given by him to the employment of the funds of the Republic of Texas for the use of the James river and Kanawha company. 2. The extent of the just responsibility of the President and Directors for the commitment of the company's sterling bonds in Europe; and 3. The occurrences relative to the company's foreign debt which have taken place since the last session of the Legislature.

The negotiations of the guaranteed loan having been fully examined by the Legislature at its last session, with the aid of all the documents and correspondence appertaining thereto, up to that period, the committee have deemed it unnecessary to make that portion of the management of the President and Directors the subject of re-investigation at this time. The correspondence upon this subject, on file at the com-

pany's office, is voluminous; and would, in the view of the committee, swell unnecessarily the mass of documents attached to this report. For a summary view of the information communicated at the last session of the Assembly, reference may be had to Doc. U., Nos. 1, 2, 3, and 4. Most of the occurrences relative to the foreign debts of the company, since the last session of the Assembly, are presented in Doc. U., No. 5, leaving but a brief statement to be added by the committee.

Early in the month of May last, after a formal investigation of the claim of Dettermeyer, Westleigh & Son, of Amsterdam, for reimbursement from the James river and Kanawha company of the amount advanced by that house to General Hamilton in 1840, the Board concluded that they were bound to recognise the justice of this claim upon the company, and therefore resolved to pay, out of the proceeds of the State stock, the debt thus ascertained to be due, amounting, including interest to that time, to the sum of \$54,275. It appears, however, from Doc. U., No. 5, that this claim has not yet been paid, owing, as the committee believe, to the depreciation of our State stocks below the limit fixed by the Board of Public Works.

Shortly after this resolution, General Hamilton appeared before the President and Directors, made an explanation of his late agency, and stated that he was then on his way to Europe, on his own account, with the object of endeavoring to effect a satisfactory adjustment of the Holland claim, so as to release the company and their hypothecated assets. The Board renewed his agency in order to close their unfinished business in Europe. He returned in the month of October without having succeeded in the object of his visit. The committee regret to say, they can find no justification for this act of the President and Directors.

The state of the guaranteed loan of the 1st March, 1843, will be seen by reference to Doc. V. No. 1, from which it appears that the residue of the whole amount guaranteed is not equal in amount by nearly \$8,000 to the amount of the company's post notes out standing at the same date. Adverting to Doc. V. No. 2, it is shown that this residue of the guaranteed loan was, as early as the 8th of November, 1839, specifically pledged by the Board to the redemption of the post notes; and in consequence of the withdrawal of the guaranty, by the act of March, 1842, upon a portion of those bonds, the amount is now insufficient to redeem that pledge.

It appears that some loss occurred in 1840, in consequence of the construction of some of the locks and other work in an unfaithful manner, rendering it necessary to re-construct them. The subject was brought before the Stockholders in the 6th annual report, and they did not, as the committee do not now, regard it as any ground of censure upon the President and Directors. See Doc. W.

Opening of the Works above Lynchburg, and their present unfinished state.

By the 45th section of the charter, the line of proposed canal was divided into what may be denominated revenue sections; the first extending from Richmond to Lynchburg; the second from Lynchburg

to the mouth of North river; the third from the mouth of North river to Buchanan; and the residue of the sections above Buchanan, having a length of not less than 10 miles, following in successive order from that place to Covington. Upon the completion of these sections respectively, in the order prescribed, the right to lay tolls thereon was to take effect.

By the plan of works adopted by the Stockholders at the organization of the company in May, 1835, the line of canal was divided with a view to its construction, into three grand divisions—the first extending from Richmond to Lynchburg; the second from Lynchburg to Buchanan, and the third from Buchanan to Covington; which grand divisions were to be executed in successive order, commencing in the East. But at the first annual meeting of the stockholders, in December, 1835, this order of execution was amended so as to authorise the Directors to break ground to any extent they might think necessary and proper in each of the upper divisions, before the completion of the division next below respectively. In extending the line of new works under this authority, with a view to preserve a continuous and judicious march of the work, it appears to have been the object of the President and Directors to cover not less ground than one revenue section, so as to reach as soon as possible the right of levying the new tolls.

The act of 23d March, 1839, required the execution of the work to progress in continuous sections, each to be completed before the rest was commenced. What sections were intended, does not clearly appear; if the sections mentioned in the act of incorporation, then the propriety of opening the works above Lynchburg before the work was completed to that point, may be doubted. If, however, the means on hand were probably sufficient to complete the line to Lynchburg, and with the aid afforded by the act of March, 1839, there was no reason to doubt the ability of the company to complete the work to the mouth of North river, the departure from the letter of the act may be excused, by the commendable wish to extend the improvement to the Valley, as some attempts were being made to arrest its progress at Lynchburg. At a special meeting of the stockholders in May, 1839, the President states, in his communication to them, that the addition made to the means of the company by the act of March 23d, would probably enable it to extend the line to the aggregate distance of 200 miles into the interior.

The proceedings in the House of Delegates in December, 1839, upon Mr. Toler's motion to arrest, for the time, the work at Lynchburg, also furnish some justification for this course. It is to be regretted that the work has been opened upon this division, as the effect is to make the transportation through the Blue Ridge more difficult than before the breaking up of the old Blue Ridge canal, and as there is no ground for the hope that these works can be resumed for some years. Detailed information on this subject, will be found in Doc. X.

In the series of documents furnished to the committee, are the papers Y., Nos. 1 and 2, on the subject of the western improvements.

Doc. Z. exhibits the receipts and disbursements from the organization.

ROB. Y. CONRAD,

REPORT OF THE COMMITTEE ON THE LIBRARY.

The Joint Committee on the Public Library report that they have examined the account of the receipts and disbursements of the Librarian, and find that the receipts during the year 1842, were

	\$ 1,560 00
The unexpended balance on hand, on the 1st of January 1842, was	23 17

	making	\$ 1,583 17
Which has been appropriated to the payment of the interest due the Literary Fund,	\$ 502 68	
To the principal of that debt	500 00	
To the Virginia Military Institute, under the act of 18th March, 1841,	0 00	
To purchase of books and contingent expenses,	317 75	
Leaving an unexpended balance in the hands of the Librarian on the 1st Jan. 1843, of	262 74	
	<hr/>	<u>\$ 1,583 17</u>

All of which appears, more in detail, from the report of the Librarian, herewith communicated.

By the acts of February the 28th, 1829, and 22d of February 1830, the Library borrowed of the Literary fund the sum of \$ 10,000. By the annual payment, above mentioned, of \$ 1,000, that debt is now reduced to \$ 7,500.

An inventory of books, &c. &c., which compose the Library fund, is herewith also returned, marked B, as well as an account of sales during the year 1842. By the last of which it appears that the most productive of all the stock owned by the Library are the Reports of Causes, the latest being the most saleable. It will be remembered that the expense of publishing these reports is paid directly by the Public Treasury, while the Library receives the proceeds of sale. The committee further state, that taking six years as an example, these Reports have cost the State, on an average, the sum of \$ 4,550 annually, and that the amount of sales, with the exception, perhaps, of one vol. of Leigh's Reports, has not paid for the publication. That the expense of publication has been unnecessarily enhanced by the costly binding heretofore used, and which the committee recommend should be discontinued with the commencement of the new system established by the law of the March, 1842. That as the Library is a direct charge on the Public Treasury, the committee feel bound to recommend such a course as will most speedily, to some extent at least, remove that charge. and to that end they recommend the repeal of the act of the 18th of March 1841, appropriating annually \$ 500 from the Library fund to purchase a Library for the Lexington Military Institute. From the Library fund the sum of \$ 500 has already been paid for the purpose aforesaid, which the committee most respectfully think ought not to be continued while the State is borrowing money to pay interest. All increase in the number of books and purchases for the

Library has been stopped, with the exception of certain periodicals, a list of which is herewith returned.

The committee further state that the appropriation of the last year for the 10th and 11th vols. of Leigh's Reports fell short \$ 1,070 84, which ought to be supplied. That before the passage of the law of March 1842, altering the mode of paying for the Reports of Causes decided in the Court of Appeals, Mr. Leigh had progressed to a considerable extent in arranging the materials for the 12th vol. of his Reports, which are of course his private property. And he having declined acting as Reporter after the passage of the law above mentioned, another was appointed. By communications with Mr. Leigh, through the Librarian, the committee learn that Mr. Leigh is willing to furnish the 12th vol. in the same manner and on the same terms that the previous vols. had been furnished. And as it is very necessary that the State should own the copy right of the entire series of Reports unbroken, they respectfully recommend that the 12th vol. be purchased in the manner signified.

What will be the cost of the Reports under the law of March 1842, the committee cannot now state with exactness. But it is estimated that the vol. now in the hands of the printer will not exceed \$ 3,500 for an impression of 700 vols.

The committee have considered the two following Resolutions of the House of Delegates, adopted January 30th, 1843, to wit:

"Resolved, That so much of the Governor's Message *that* refers to the public Documents received from the General Government, be referred to the Library Committee, with instructions to report to this House the number of said Documents, and the best mode to dispose of them to promote the interest of the public."

"Resolved, That the Library Committee inquire into and report to this House the number and character of books belonging to the State and not used in the Public Library, and the best disposition in the opinion of the said committee to be made of the said books," and report thereon by Resolutions hereinafter written.

In conclusion, the committee offer the following Resolutions:

1st. *Resolved,* That the report of the Librarian be received, and his accounts and disbursements ending the 31st of December, 1842, be allowed.

2d. *Resolved,* That the sum of \$ 1,070 84 be appropriated to make up the deficiency in the appropriation of the last year for Leigh's Reports.

3. *Resolved,* That the sum of \$ be appropriated to purchase the 12th vol. of Leigh's Reports.

4. *Resolved,* That the law of the 18th March 1841, appropriating from the Library fund \$ 500 to purchase a Library for the Lexington Military Institute, be repealed.

5. *Resolved,* That the committee be discharged from the further consideration of the second Resolution aforesaid, of the House of Delegates.

6. *Resolved,* That the Documents mentioned in the first Resolution aforesaid, be distributed to and among the county and corporation courts, the University, Colleges and Academies and incorporated Libraries in this Commonwealth.

AMENDMENTS

Proposed by the Committee of General Laws, to the bill, "Prescribing the mode of ascertaining the taxable property of this Commonwealth."

Sec. 3. 6th line, strike out from the word 'or,' to the word 'required,'
2 in the 7th line, *both inclusive*. 9th line, after the word 'way,'
3 strike out the words 'and moreover,' and insert before the word
4 'shall,' 'and if any such company shall fail or refuse to pay the
5 amount of the tax on such dividend, certified as aforesaid, if any
6 share have been declared, the said company.'

Sec. 4. 8th line, strike out from the word 'in,' to the word 'or,'
2 in the 9th line, *both inclusive*. 10th line, after 'debts,' add
3 'treasury notes,' 11th line, after 'Union,' add 'or of the United
4 States.'

Sec. 5. 3d line, strike out from the word 'of,' to word 'dol-
2 lars,' and insert '400.' 6th line, after 'of,' strike out '250,'
3 and insert '400.' 7th line, after 'over,' strike out '250,' and
4 insert '400.' 9th line, after 'Surgeons,' add 'Dentists.'

Sec. 7. 3d line, strike out 'two,' and insert 'three.' 5th line,
2 before 'and,' insert 'Dentists.' 7th line, after 'for,' strike out
3 '2,' and insert '3.' At the end of the 7th section, insert the
4 following new sections;

"Sec. 8. *Be it further enacted*, That the commissioners of the
2 revenue shall annually ascertain and return to the Auditor of pub-
3 lic accounts, at the end of their property books, a list of all toll
4 bridges and ferries where the yearly rent or value thereof exceeds
5 \$ 100, (except bridges and ferries held by joint stock companies,)
6 which estimate shall be fixed by the commissioner of the revenue,
7 according to the actual rent of the same, (if rented or leased out,)
8 or if not, then by the said commissioner by estimation justly and
9 fairly to be made. He shall also return a list of all printing presses
10 of newspapers, together with twice the amount charged for a sub-

11 scription for a year to the highest priced paper [issued from such
12 press or presses. In like manner a list of all male free negroes and
13 mulattoes above the age of 21 years and under the age of 50 years,
14 residing within their respective counties, towns, cities or districts.

“Sec. 9. *Be it further enacted*, That the poll tax that is or may
2 be imposed on free negroes and mulattoes, shall be collected by the
3 sheriff or other officer, at the same time that they collect taxes on
4 the taxable property in this Commonwealth; and they shall ac-
5 count for, and pay the same, at the same time and in the same
6 manner, and under the same penalties that they account for and
7 pay the taxes on the several articles of taxable property in this
8 Commonwealth: and in all things pertaining to the collection of
9 the said poll tax, the sheriff or other collector, shall in all respects
10 conform to the provision of the several laws providing for the col-
11 lection and enforcement of the county levy and poor rates against
12 free negroes and mulattoes.

“Sec. 10. *Be it further enacted*, That it shall be the duty of the
2 clerks of the several courts of this Commonwealth, to furnish to
3 the commissioner of the revenue of their respective counties and
4 corporations, annually at their June court, an accurate list of all
5 wills offered for probat, and all letters of administration granted in
6 their respective courts and corporations for the year next preced-
7 ing the first day of February in each year, and the commissioner
8 of the revenue is hereby required to charge the same to the indi-
9 vidual offering said will to probat, or applying for letters of ad-
10 ministration.”

AMENDMENTS

*Proposed by the Committee of General Laws, to the bill, entitled,
"An act, imposing taxes for the support of Government."*

Sec. 2. Strike out from the word 'in,' in the 3d line, to the word 2 'seventy,' and insert 'any circuit superior court of law and chan- 3 cery.' 5th line, after the word 'a,' insert 'circuit.' 6th line, 4 after 'a,' insert 'circuit.'

Sec. 3. 14th line, strike out 'sales,' and insert 'purchases.' 53d 2 line, after the word 'pewter,' insert 'or cotton yarn.'

Sec. 5. 14th line, strike out from the word 'the,' to the word 2 'on,' inclusive, in the 15th line. 17th line, at the commencement, 3 insert 'of the United States.' 22d line, strike out 'two,' and insert 4 'one.' Same line, after the word 'such,' insert 'excess of.' 24th 5 line, strike out the word 'thereof,' and insert 'of such excess.' 6 27th line, strike out 'and,' where it first occurs. Same line, after 7 'Surgeon,' add 'and Dentist.'

Sec. 6. 1st line, strike out after the word 'that,' to the word 2 'upon,' in the 8th line, and insert 'there shall be collected and 3 paid.' 9th line, after the word 'cents,' strike out the remainder 4 of the section, and insert 'upon the probat of any will, or the 5 grant of letters of administration on the estate of every testator 6 or intestate in any court of record in this Commonwealth, fifty 7 cents; upon every toll-bridge or ferry, (except such as are held by 8 joint stock companies,) where the yearly rent or value thereof ex- 9 ceeds \$ 100, one and one-half per cent. upon such excess of yearly 10 rent or value; upon every printing press of newspapers, twice the 11 amount charged per annum for a subscription to the highest priced 12 paper that may issue from such press: *Provided, however,* That no 13 press shall pay a higher tax than \$ 10; upon every male free negro 14 or mulatto above the age of 21 years and under the age of 50 15 years, one dollar.

A BILL,

*For arranging the Counties of this Commonwealth into
Districts to choose Representatives to Congress.*

1. *Be it enacted by the General Assembly, That the counties of*
2 *this Commonwealth and the cities and boroughs entitled to repre-*
3 *sentation, shall be divided into fifteen districts, in the manner*
4 *following; viz:—The counties of Isle of Wight, Nansemond,*
5 *Princess Anne and Norfolk, the borough of Norfolk, and the*
6 *counties of Sussex, Surry and Southampton, shall compose the*
7 *first district; the counties of Nottoway, Greenville, Mecklen-*
8 *burg, Brunswick, Amelia, Dinwiddie and Prince George, and the*
9 *town of Petersburg, shall compose the second district; the counties*
10 *of Pittsylvania, Henry, Patrick, Franklin and Halifax, shall com-*
11 *pose the third district; the counties of Campbell, Buckingham,*
12 *Charlotte, Prince Edward, Cumberland, Fluvanna and Lunenburg,*
13 *shall compose the fourth district; the counties of Albemarle,*
14 *Nelson, Bedford, Greene, Orange, Amherst and Madison, shall*
15 *compose the fifth district; the county of Henrico and city of*
16 *Richmond, and the counties of Chesterfield, Powhatan, Hanover,*
17 *Louisa and Goochland, shall compose the sixth district; the coun-*
18 *ties of York, Accomack, Northampton, Elizabeth City, Warwick,*
19 *James City, the city of Williamsburg, the counties of New Kent,*
20 *Charles City, Matthews, Gloucester, Lancaster and Northumber-*
21 *land, shall compose the seventh district; the counties of Essex,*
22 *Middlesex, King and Queen, Richmond, Westmoreland, Caroline,*
23 *Spottsylvania, King George and King William, shall compose the*
24 *eighth district; the counties of Fauquier, Stafford, Rappahannock,*
25 *Prince William, Fairfax, Loudoun and Culpeper shall compose the*

26 *ninth district*; the counties of Frederick, Hampshire, Morgan,
27 Berkeley, Jefferson, Clarke, Warren and Page, shall compose the
28 *tenth district*; the counties of Rockingham, Hardy, Pendleton,
29 Rockbridge, Augusta and Shenandoah, shall compose the *eleventh*
30 *district*; the counties of Monroe, Botetourt, Roanoke, Montgo-
31 mery, Pulaski, Floyd, Giles, Mercer, Greenbrier, Pocahontas,
32 Logan, Bath and Alleghany, shall compose the *twelfth district*;
33 the counties of Washington, Lee, Scott, Russell, Smyth, Wythe,
34 Grayson, Carroll and Tazewell, shall compose the *thirteenth dis-*
35 *trict*; the counties of Kanawha, Jackson, Mason, Cabell, Wayne,
36 Lewis, Harrison, Braxton, Wood, Fayette and Nicholas, shall
37 compose the *fourteenth district*; and the counties of Monongalia,
38 Brooke, Ohio, Marshall, Tyler, Marion, Randolph and Preston,
39 shall compose the *fifteenth district*.

2. All acts and parts of acts coming within the purview of this
2 act, shall be, and the same are hereby repealed.

3. This act shall be in force from the passing thereof.

DISTRICTS ACCORDING TO BILL.

FIRST DISTRICT.

Isle of Wight,	8,457
Nansemond,	8,983
Princess Anne,	6,050
Norfolk County,	14,338
Norfolk Borough,	9,337
Sussex,	8,495
Southampton,	11,903
Surry,	5,339

72,902

SECOND DISTRICT.

Nottoway,	6,890
Greensville,	4,645
Mecklenburg,	15,958
Brunswick,	10,824
Amelia,	7,511
Dinwiddie,	8,898
Petersburg,	9,681
Prince George,	5,570

69,977

THIRD DISTRICT.

Pittsylvania,	21,775
Henry,	6,191
Patrick,	7,295
Franklin,	13,099
Halifax,	20,249

69,282

FOURTH DISTRICT.

Campbell,	17,012
Buckingham,	14,387
Charlotte,	10,891
Prince Edward,	10,638
Cumberland,	7,686
Fluvanna,	7,153
Lunenburg,	8,372

76,193

FIFTH DISTRICT.

Albemarle,	18,201
Nelson,	9,900
Bedford,	16,658
Greene,	3,536
Orange,	6,980
Amherst,	10,265
Madison,	6,384

71,924

SIXTH DISTRICT.

Henrico & City Richmond,	27,781
Chesterfield,	13,667
Powhatan,	5,873
Hanover,	11,611
Louisa,	11,829
Goochland,	7,560

78,261

SEVENTH DISTRICT.

Accomack,	15,244
Northampton,	6,267
Elizabeth City,	5,023
York,	3,875
Warwick,	1,123
James City & Williamsburg,	3,000
New Kent,	4,876
Charles City,	3,801
Matthews,	6,119
Gloucester,	8,438
Lancaster,	3,637
Northumberland,	6,627

66,030

EIGHTH DISTRICT.

Essex,	8,606
Middlesex,	3,508
King & Queen,	8,488
Richmond,	5,020
Westmoreland,	6,538
Caroline,	13,688
Spottsylvania,	12,125
King George,	4,574
King William,	6,946

69,493

[Bill No. 1.]

NINTH DISTRICT.

Fauquier,	17,614
Stafford,	7,015
Rappahannock,	7,792
Prince William,	7,037
Fairfax,	7,989
Loudoun,	18,322
Culpeper,	8,966
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	74,735
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TENTH DISTRICT.

Frederick,	13,321
Hampshire,	11,734
Morgan,	4,200
Berkeley,	10,204
Jefferson,	12,419
Clarke,	5,023
Warren,	5,054
Page,	5,887
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	67,836
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ELEVENTH DISTRICT.

Rockingham,	16,584
Rockbridge,	12,880
Augusta,	17,974
Pendleton,	6,755
Hardy,	7,169
Shenandoah,	11,205
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	72,567
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TWELFTH DISTRICT.

Monroe,	8,075
Botetourt,	10,500
Roanoke,	4,878
Montgomery,	6,808
Pulaski,	3,358
Floyd,	4,324
Giles,	5,078
Mercer,	2,194
Greenbrier,	8,209
Pocahontas,	2,835
Logan,	4,249
Bath,	3,881
Alleghany,	2,530
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	67,028
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THIRTEENTH DISTRICT.

Washington,	12,178
Lee,	8,209
Scott,	7,166
Russell,	7,598
Smyth,	6,187
Wythe,	8,728
Grayson and Carroll,	8,898
Tazewell,	5,975
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	64,831
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FOURTEENTH DISTRICT.

Kanawha,	12,543
Jackson,	4,855
Mason,	6,454
Cabell and Wayne,	7,936
Lewis,	8,102
Harrison,	14,658
Braxton,	2,250
Wood,	7,664
Fayette,	3,871
Nicholas,	2,486
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	71,027
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FIFTEENTH DISTRICT.

Monongalia,	17,264
Brooke,	7,911
Ohio,	13,272
Marshall,	6,918
Tyler,	6,920
Marion,	2,736
Randolph,	6,121
Preston,	6,829
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	67,971
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A SUBSTITUTE,

OFFERED BY MR. FRYTON,

So far as regards the Six Districts beyond the Blue Ridge.

TENTH DISTRICT.

Shenandoah,	12,203
Page,	5,881
Frederick,	13,921
Berkeley,	10,204
Jefferson,	12,419
Morgan,	4,200
Clarke,	5,023
Warren,	5,054
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	68,307
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ELEVENTH DISTRICT.

Augusta,	17,974
Rockingham,	16,584
Rockbridge,	12,880
Hardy,	7,169
Pendleton,	6,755
Bath,	3,881
Pocahontas,	2,835
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	68,078
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TWELFTH DISTRICT.

Botetourt,	10,500
Roanoke,	4,878
Montgomery,	6,808
Pulaski,	3,358
Alleghany,	2,530
Greenbrier,	8,269
Monroe,	8,075
Giles,	5,078
Mercer,	2,194
Floyd,	4,324
Nicholas,	2,486
Braxton,	2,550
Fayette,	3,871
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	64,930
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THIRTEENTH DISTRICT.

Washington,	12,178
Lee,	8,209
Scott,	7,166
Russell,	7,598
Smyth,	6,187
Wythe,	8,728
Grayson and Carroll,	8,898
Tazewell,	5,975
Logan,	4,249
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	69,188
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FOURTEENTH DISTRICT.

Kanawha,	12,543
Jackson,	4,855
Mason,	6,454
Cabell and Wayne,	7,936
Harrison,	14,656
Lewis,	8,102
Wood,	7,674
Tyler,	6,920
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	69,140
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FIFTEENTH DISTRICT.

Monongalia,	17,264
Marion,	2,736
Randolph,	6,121
Brooke,	7,911
Ohio,	13,272
Preston,	6,829
Hampshire,	11,734
Marshall,	6,918
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	72,785
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AMENDMENT**PROPOSED BY MR. CONRAD.****TENTH DISTRICT.**

Frederick,	13,321
Hampshire,	11,734
Morgan,	4,200
Berkeley,	10,204
Jefferson,	12,419
Clarke,	5,023
Warren,	5,054
Hardy,	7,169
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	69,124
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ELEVENTH DISTRICT.

Rockingham,	16,584
Pendleton,	6,755
Rockbridge,	12,880
Augusta,	17,974
Shenandoah,	12,205
Page,	5,881
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	71,279
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AMENDMENT**PROPOSED BY MR. COCKE.**

—Take Fluvanna and Lunenburg from the 4th District. Add Fluvanna to the 5th District—add Lunenburg to the 2d District.

Take Bedford from the 5th District and add it to the 4th District.

Take Goochland from the 6th District and add it to the 5th District.

Take Prince George from the 2d, and add it to the 1st District.

AMENDMENT,

Offered by Mr. Thornton, to the bill, "To authorise a separate election in each of the counties of Louisa, Prince William and Rockingham."

AN ACT,

Reducing into one the several acts, regulating the mode of conducting the election of the members of the Legislature and Congress, and for prescribing the proceedings in contested elections.

1st. *Be it enacted by the General Assembly, That it shall be the*
 2 *duty of the county court of each county of this Commonwealth,*
 3 *and of each city or borough therein, entitled to a delegate in the*
 4 *Legislature, respectively, at their next May, June or July terms,*
 5 *to nominate to the Governor or Chief Magistrate, for the time be-*
 6 *ing, three discreet and intelligent freeholders, resident in said*
 7 *county, city or borough, whose general intelligence and decision*
 8 *of character shall render them fit and proper persons to discharge*
 9 *the duties of commissioner of election, hereinafter particularly de-*
 10 *finied; and one of the persons so nominated, being approved by the*
 11 *Governor with the advice of the Council of State, shall be by him*
 12 *commissioned to the office of commissioner of election in and for*
 13 *the county, city or borough in which he may reside.*

2d. *If the court shall fail to make the aforesaid nomination with-*
 2 *in the periods above, at one of the terms aforesaid, every justice*
 3 *so neglecting, shall forfeit and pay, for the benefit of the Literary*
 4 *Fund, two hundred dollars.*

3d. *Said commissioner of election, on receiving his commission,*
 2 *shall produce the same in open court, in which he was first nomi-*
 3 *nated, and shall qualify to the same by having the following oath*
 4 *administered to him: "You, A B, do solemnly swear (or affirm*
 5 *as the case may be) that you will proceed with all convenient di-*
 6 *ligence to inform yourself of the laws prescribing the right of suf-*
 7 *frage, regulating the exercise thereof, and the conducting the gen-*

8 eral election of this Commonwealth, as far as is necessary for a
 9 proper discharge of the duties of your office of commissioner of
 10 election. That in conducting the elections to be held for a Delegate
 11 or Delegates or Senator to the General Assembly for the county,
 12 city, borough or election district of , and for a Represen-
 13 tative to the Congress of the United States from this district, you
 14 will for, to the best of your skill and judgment, admit all persons
 15 to vote entitled to do so, and reject all not so entitled: That you
 16 will studiously abstain from taking any part in the election contests
 17 in the county, city or borough of , during your continuance in
 18 your present office: That you will not persuade or otherwise attempt
 19 to influence the vote of any person, or be guilty of any partiality
 20 for, or take any part against any candidate or person voted for: That
 21 as far as depends on you, you will make a just, true and fair return
 22 of the result of said elections, according to law, and that you will
 23 faithfully, firmly and impartially, to the best of your skill, judg-
 24 ment and ability in all things do and perform the duties of your
 25 said office of commissioner of election, according to law: So help
 26 you God." The clerk of said court shall make a minute of said
 27 qualification, on the records of said court, and shall file and pre-
 28 serve said commission among the papers of his office. And if the
 29 person so commissioned or nominated as aforesaid, shall fail to pro-
 30 duce his said commission to the court aforesaid and to qualify to
 31 the same, at or before the November term of said court next after
 32 his nomination to said office, the clerk of said court shall, within
 33 one week thereafter, transmit to the Governor, for the time being,
 34 a certificate of such neglect or failure, under the penalty of three
 35 hundred dollars:

4th. If the person first commissioned to the said office of commis-
 2 sioner of election shall fail to qualify thereto in manner and form
 3 as aforesaid, and the clerk shall certify the same as above required,
 4 the Governor, with advice of Council, is hereby authorised and
 5 required to issue a commission to some other person nominated by
 6 the court, unless good cause be shown to the contrary; which com-
 7 mission, to all intents and purposes, shall supersede and annul the
 8 former commission; and if the person thereafter commissioned or
 9 nominated as aforesaid, shall be guilty of the like neglect, the Gov-
 10 ernor, with the advice of the Council, is hereby authorised and
 11 required, in either case, to commission any other person nominated
 12 by the court, unless good cause be shown to the contrary; which

13 last commission shall in like manner supersede the former; and the
14 person so commissioned shall qualify thereto at or before the Janu-
15 ary term succeeding.

5th. When from any cause the whole number of those thus nomi-
2 nated for any county, city or borough shall refuse to accept the said
3 office therein, it shall be the duty of the court of such county, city
4 or borough, at its next term, to recommend to the Executive three
5 other fit and proper freeholders, one of whom shall be commissioned
6 by the Executive to said office, who shall serve therein from the
7 date of his commission. And in the event of their refusal, the
8 court shall continue so to recommend until said office be accepted.

6th. If, from refusal to accept, death, resignation, removal from
2 office, or from any other cause, there should be no commissioner
3 of election in attendance on the day of an election, it shall be the
4 duty of the Sheriff of the county or Mayor of the borough in which
5 the election is to be held, to perform the duties of commissioner of
6 election—and all vacancies accruing in said office of commissioner,
7 shall be supplied by the nominations of the proper court and ap-
8 pointments of the Executive, as speedily as practicable.

7th. The Sheriff or Mayor so acting, shall be entitled to the same
2 compensation, and is hereby clothed with the same authority and
3 immunity, and shall be subject to the same liabilities that said
4 commissioner would be were he in attendance discharging the duties
5 of said office.

8th. The officer conducting the election shall, as nearly as may be,
2 at the hour of 10 o'clock, A. M., of the morning of election,
3 cause the poll to be opened publicly, at the courthouse of the county
4 or borough, or if that be in a town infected with any contagious
5 disease, or in danger of an attack from a public enemy, at some
6 other place—he shall appoint so many writers as he may think ne-
7 cessary for the purpose to keep the polls, who shall respectively
8 take an oath to be administered by him, that they will take the
9 poll faithfully, truly and impartially. He shall provide convenient
10 places for them to sit and write—shall furnish each with a poll
11 book, who, by ruling lines therein, having made as many columns
12 as there are candidates, shall enter the name of each candidate in
13 a distinct column at the head thereof, and under his name, in the
14 same column, the name of every elector who shall vote for that

14 candidate. It shall be his duty to provide suitable and convenient
 16 seats for himself and such candidate or candidates as may choose
 17 to attend the election, and a convenient stand for the Sheriff or
 18 other officer crying the votes. He shall maintain order in the place
 19 where the election is held during the progress thereof, and cause
 20 all confusion and disturbance to be suppressed. He shall take care
 21 that the seats, provided for himself, the candidates and the writers;
 22 as also the stand occupied by the officer whose duty it shall be to
 23 cry the votes, be not crowded or inconveniently pressed. He shall
 24 take measures for preventing any one approaching the stand when
 25 the votes are cried, except for the purpose of giving his vote, and
 26 then only in convenient numbers of four or five, and as soon as
 27 each vote is cried and recorded, the voter shall be required to leave
 28 the stand and to make way for the approach of another. When any
 29 person shall present himself for the purpose of voting, whose right
 30 to do so shall be contested, or of whose right said officer shall him-
 31 self entertain a doubt, he shall deliberately hear a statement of the
 32 grounds on which said person claims the right to vote, from him-
 33 self or from some one for him; he shall hear what any candidate or
 34 contesting elector may say against receiving said vote; shall gather
 35 what information he can, touching the facts of the case, from the
 36 books of the commissioners of the revenue, the Sheriff's books, the
 37 records of the clerk's office, and from the examination of testimo-
 38 ny, and shall have power if he choose to examine the party him-
 39 self on oath touching the same, and shall decide on all the facts and
 40 information gathered as to the right of the person to vote, and shall
 41 admit or reject his vote accordingly. In addition to the poll books
 42 heretofore required to be kept, he shall also provide and cause each
 43 writer to keep one other poll book, arranged like the others, and
 44 endorsed in large letters "Appeal Poll." And when any individual
 45 voter present, shall be dissatisfied with the decision of the officer
 46 conducting the election in admitting any one to vote, he shall have
 47 the right to have the name of such voter entered on the appeal poll,
 48 to be subsequently investigated as hereinafter provided for, and
 49 when any person refused to be allowed to vote, shall desire it be-
 50 fore the final closing of the polls, or any one present shall desire it
 51 for him, the individual himself being also at the time present and
 52 consenting his name likewise shall be entered on said appeal poll,
 53 in the column headed with the name of the candidate for whom, if
 54 permitted, he would have voted, and a note shall be made on said
 55 appeal poll, showing that said voter had been rejected.

9th. Where the election is for a borough or a county, having no precinct or place of separate election, the officer conducting the election shall deliver to the clerk of the county or borough, as the case may be, a copy of the poll by him taken, to be by said clerk safely kept and preserved in his office. The said clerk shall permit any candidate or elector to take a copy of said poll or polls at any time. And in case of the election of a Delegate or Delegates, it shall be the duty of said officer conducting such election, to return at the top or at the bottom of said poll, which candidate obtained the largest number of votes and declare the same to be duly elected, and shall thereupon give to said Delegate or Delegates a certificate of election, and shall forthwith, on the same day, set up on the front door of the courthouse of such county, city, town or borough the name or names of the Delegate or Delegates elected in manner aforesaid. And in case the greatest number of votes for several candidates shall be equal to one another, he may and shall declare which of the candidates he will elect, notwithstanding his vote as an elector may have been previously entered on the poll, and if the election be for Senator or Representative in Congress, he shall return the poll or polls to the clerk with his statement in writing thereon what number of votes each candidate obtained, to be used as hereinafter directed. *Provided*, That in declaring such election or making such return, said officer shall pay no regard to any vote by him rejected, notwithstanding said rejected voter may have been entered on the appeal as aforesaid.

10th. In case of any election occurring as aforesaid in any county where a precinct or precincts are established, or separate poll or polls may be authorized to be held, it shall be the duty of said Commissioners of election or other officer conducting the election, personally to preside at that place of election where the greatest number of votes are likely to be polled, he shall annually appoint a fit and proper person to superintend at each precinct or place of separate election, and shall administer to him on oath that he will faithfully, firmly and impartially conduct the election at the precinct in the county of _____, as nearly as may be, according to the directions contained in the 8th section of this act, and to make a fair and impartial return of the poll or polls taken at said precinct, according to the requisitions hereof: And that he, the said superintendant, in conducting the election as aforesaid, will studiously avoid taking sides for or against any candidate or candi-

16 dates or other person voted for, but will faithfully and impartially
17 discharge his duty of superintendant according to law. Said su-
18 perintendant shall, on the day after said election at his precinct,
19 cause the poll or polls by him taken to be returned to the commis-
20 sioner of election or other officer acting in his stead with written
21 statement thereon of the number of votes obtained by each candi-
22 date, whether the election be for Delegate, Senator or Representa-
23 tive in Congress.

11th. Said commissioner of election or other officer conducting the
2 same, having received the poll or polls taken at a precinct elec-
3 tion as directed in the foregoing section, shall proceed at the court-
4 house of said county on the second day after the termination of
5 said election, unless such day shall happen to be on Sunday, and
6 in that event on the next day, to compare the polls taken in said
7 county, and if it shall appear that any elector has voted more than
8 once, to reduce the vote of said elector to one, which poll so com-
9 pared and corrected shall be by him delivered to the clerk of the
10 county, he having first endorsed on the back or at the bottom of
11 the poll taken by himself; if it be an election of Delegate or Dele-
12 gates, the candidate or candidates for whom the greatest number of
13 votes appear to have been given, and shall declare the same to have
14 been elected, or if the greatest number of votes for several candidates
15 shall be equal to one another, he may and shall declare which of
16 the candidates he will elect, notwithstanding his vote as an elector
17 may have been previously entered on the polls, and shall, on the same
18 day, set up, at the front door of the courthouse of such county, a
19 notice in writing, informing the public of the name or names of the
20 delegate or delegates elected in manner aforesaid. Said candidate
21 shall suffer any candidate or elector to take a copy of said poll or
22 polls so delivered to him. If the election be for a Senator or Repre-
23 sentative in Congress, the poll or polls having been endorsed and
24 returned by the several superintendants to said commissioner or
25 other officer, shall be by him scrutinized and corrected as in the case
26 of the election of delegates, and said commissioner or other officer
27 shall endorse on the poll taken by himself the whole number of
28 votes received by each candidate, and return the same so reduced,
29 corrected and endorsed, together with the several polls from the
30 precincts, to the Clerk of his county, by him to be kept and pre-
31 served.

12th. Said commissioner of election or other officer shall have the power to continue the election from day to day for three days, and be regulated in so doing by the same causes which are recited in the 17th section of an act concerning "general election," passed 2nd April, 1831: *Provided, however*, that no poll shall be kept open more than one day in any county except at the courthouse of said county, and that the commissioner of election or other officer shall attend in person the other two days of election.

13th. The commissioner of election or other officer acting in his stead, and the several superintendants for conducting the same at the precincts, are hereby clothed with full authority to carry into effect all the duties hereby required of them, and authorized to call to their aid the Sheriff or other acting executive officer of the county, whose duty it shall be to employ the power of the county, if necessary, in suppressing disorder, confusion, riot, or other irregularity in the place of holding said election. And if any person or persons summoned or ordered by said commissioner or other officer or superintendant or executive officer, to aid in effecting these objects, shall fail or refuse to do so, he or they, on conviction thereof before any court of record having cognizance of the case, shall be deemed guilty of a misdemeanor and be punished by fine, for the benefit of the Literary Fund, at the discretion of a jury, in a sum not less than \$10, nor more than \$50.

14th. If any person or persons shall beat or attempt to beat, assault, or angrily question any commissioner, or other officer conducting the election in his stead, or any superintendant of a precinct election, for any thing said or done in the discharge of the duties prescribed by this act, he or they, his or their aiders or abettors being convicted thereof, by plaint, bill or information, before any court of record having jurisdiction of the cause, shall forfeit and pay at the discretion of a jury not less than \$50, nor more than \$500, for every such offence, for the benefit of the Literary Fund, and be moreover subject to confinement in the common Jail, at the discretion of the court trying the same, for a time not less than one nor more than six months.

15th. Such commissioner of election or other officer acting in his stead, shall be entitled to receive for holding the first days election in his county, city, town or borough, \$4 per day, for the other \$2, should the election be continued for more than one day.

5 He shall be moreover entitled to receive per day for each writ-
 6 ter employed by him to keep the polls, which said writers shall re-
 7 spectively receive of him. And each superintendant appointed by
 8 said commissioner or other officer shall be entitled to receive
 9 for conducting the election at his precinct, and be entitled to re-
 10 ceive for each writer employed by him in recording the votes
 11 at such precinct account for which certified its correctness be-
 12 ing first certified to by the court of the county, city, town or bo-
 13 rough, shall be paid by the auditor of public accounts out of the
 14 treasury, as other demands against the Commonwealth are paid.

15 16th. Such commissioners of election or other officer conducting
 16 the elections, shall discharge the duties prescribed in the 15th and
 17 16th sections of the act "concerning general elections," passed
 18 the 2d April, 1831, and of the 5th section of the law concerning
 19 "congressional elections," passed day of 1819, under the
 20 provisions of said several acts.

21 17th. If any commissioner of election shall be guilty of neglect
 22 in any of the duties of the office, it shall be the duty of the Com-
 23 monwealth attorneys in and for the several counties, cities, towns
 24 and boroughs when required by any elector therein, to cause a
 25 summons to be issued from the clerk's office thereof, setting forth
 26 the neglect complained of, citing said commissioner to show cause,
 27 if any he can, why he should not be removed from his office,
 28 which summons shall be returnable to one term of such court, and
 29 triable at the next; and if upon the hearing thereof, the court shall
 30 be of opinion that such commissioner has been guilty of the ne-
 31 glect complained of, and said commissioner shall establish no rea-
 32 sonable cause therefor, said court shall pass a sentence annulling the
 33 commission of his commission, and the same shall be annulled ac-
 34 cordingly, and said court shall thereupon take immediate steps for
 35 filling the vacancy thus created in said office. If the Sheriff of any
 36 county or Mayor of any city, acting as commissioner, or any su-
 37 perintendant of election at a precinct, shall be guilty of any ne-
 38 glect therein, such Sheriff, or other officer, shall be subject to a
 39 fine, to be ascertained by a jury, of not less than \$10 nor more
 40 \$30, for every such offence.

41 18th. If any commissioner of election, or Sheriff, or Mayor acting
 42 in his stead, or any superintendant at any precinct, shall directly or
 43 indirectly so interfere in the election as to show any partiality for,

4 or to take sides against any of the candidates, he shall incur the for-
5 feitness and fines imposed in 33rd section of the act concerning
6 "general elections," to be enforced in the mode therein prescribed.

19th. All the agency which may have been conferred upon the
2 Sheriff of the counties of this Commonwealth, of conducting elec-
3 tions, other than that of crying the votes (which he shall do as
4 heretofore,) and keeping order during the election, is hereby an-
5 nulled, and all laws imposing the same are hereby repealed: *Pro-*
6 *vided, however,* that nothing herein contained shall be so con-
7 strued, as to annul, abolish or repeal any fine imposed by existing
8 laws for the interference of Sheriffs in elections.

20th. *And be it further enacted,* that it shall be the duty of the
2 Court aforesaid, at their said terms, to nominate also to the Execu-
3 tive of the Commonwealth, for his appointment, three intelligent
4 and fit freeholders, of their respective counties, cities, towns and bo-
5 roughs, to fill the office of Judges of election review, one of whom
6 shall designate in his commission as President of said court, the
7 duties of which tribunal shall be as hereinafter directed. And if any
8 person so nominated and commissioned shall refuse or neglect with-
9 in two terms of Court nominating them, next after the nomination,
10 by appearing therein and qualifying to said commission by taking
11 his corporal oath, or affirmation, to be administered by the Court,
12 faithfully, impartially and strictly to execute the duties of his com-
13 mission, such court shall proceed at their next term, to nominate
14 others who shall be commissioned, and so on until the office
15 and said Court shall fill vacancies which may occur, from time to
16 time, among said Judges, as is directed in case of a vacancy occur-
17 ring in the office of commissioner of election.

21st. Any person intending to contest the election of any other
2 person as a Delegate from any county, city, town, borough, or
3 election district, shall, within 15 days after the day on which the
4 election shall have terminated, give a written notice to the Presi-
5 dent of the Court of review, or in case of his absence, or if from
6 any cause he should be unable to attend to it, then to either of the
7 other judges, stating his purpose of contesting said election, ask-
8 ing said court to convene at the proper time for hearing and deter-
9 mining said contest, and together with said notice, furnish a list
10 of the names, on the regular poll, whose right to vote he contests;

11 And, thereupon, said President or other judge shall forthwith no-
 12 tify the person whose election is contested, of said contest, and at the
 13 same time furnish him with a copy of the disputed votes furnished
 14 by the contestor. Said person, so notified, shall, within ten days
 15 thereafter, furnish said President or other judge with a list of the
 16 names on the regular poll of the contestant, whose right to vote he
 17 desires to dispute. And said President or other judge shall forth-
 18 with furnish the contestant with a copy of said list, and after con-
 19 sultation as far as practicable with the other judges, shall notify
 20 both parties of the day on which they will sit to hear and deter-
 21 mine said contest; which day shall not be less than 15 nor more
 22 than 25 after said notice. If the Delegate, whose election is con-
 23 tested, shall have been returned from an election district, the poll of
 24 each county, city, town or borough composing said election dis-
 25 trict, shall, as far as the same may be contested, be tried by their
 26 respective courts of review, and after the first poll shall have been
 27 tried in said district, 5 days notice shall be considered sufficient in
 28 any of the proceedings in the progress of said court. And after the
 29 contest shall have commenced by the scrutiny of one of the polls
 30 in the district, either party may continue the contest through the
 31 district, said party causing the requisite notices to be given.

22d. Any person contending to contest the election of any other
 2 person as Senator from any Senatorial District, shall, within 25
 3 days after the termination of said election, give notice thereof, as
 4 in the case of a contest of a Delegate's return, and the same pro-
 5 ceedings shall be held thereon. And after the contest shall have
 6 been commenced, it may be continued at the discretion of either
 7 party, as in the case of the contest of the election of a Delegate
 8 returned from an election district.

23d. It shall be the duty of the several clerks of the county and
 2 corporation courts to issue necessary process on the application of
 3 either party, to ensure the attendance of witnesses before the court
 4 of review, on a given day, to testify in said contest, and it shall be
 5 the duty of the Sheriffs of the counties or Sergeants of the corpo-
 6 rations, respectively, to execute such process as in the case of ju-
 7 dicial litigations. And such court of election review is clothed with
 8 authority, as other courts of record in the Commonwealth, to pun-
 9 ish all contempts, &c. It shall be the duty of the clerks of the se-
 10 veral county and corporation courts, to keep the records of said

11 courts of review, to attend its sittings, to enter up its proceedings
12 as in their several county and corporation courts, and it shall be the
13 duty of the Sheriffs of the counties, and Sergeants of corporations
14 in which such may convene, to attend the sessions of such court of
15 election review, open and adjourn the same, preserve order, and
16 do other services as in courts of record. And Clerks, and Sheriffs
17 or Sergeants shall be entitled to an allowance similar to that al-
18 lowed them for attending on the Court of Enquiry in criminal
19 cases.

24th. Upon the day fixed for trial of any contested election, said
2 court of election review shall commence at the courthouse of the
3 county, city, town or borough, attended in manner aforesaid by
4 the Sheriff and clerk thereof, and shall proceed to hear and deter-
5 mine each vote on the appeal poll of the party having the return
6 of commissioner of election, and then those on the list disputed
7 from his regular poll, and have gone through that, shall take up the
8 appeal poll of the contestant and decide the votes thereon, and hav-
9 ing gone through that, shall take the list of disputed votes on his
10 regular poll. Shall hear either party by themselves or by counsels,
11 and shall continue its sitting, from day to day, until the whole is
12 gone through. And when the whole poll shall have been so gone
13 through, said court, in the case of a Delegate from a county, city,
14 town or borough, shall give the return to that party who, according
15 to its decision, shall have been elected, and said return shall be
16 considered valid, and entitle the holder thereof to the seat in the
17 House of Delegates. And in the case of a Delegate from an elec-
18 tion district, or of a Senator, it shall be the duty of the said court
19 to cast up its corrected polls, and to leave it thus cast up, showing
20 in its corrected state the number of votes received by each party,
21 with the clerk, by him to be preserved as in the case when there is
22 no contest. And the commissioners of election in each county, city,
23 town or borough shall meet, as they were before directed to do, on
24 the 12th day after the last contest in the district shall have been
25 ended, unless it happens on Sunday, and then the next day, and
26 make the return from the corrected polls, which shall supersede the
27 other return. And it shall be the duty of the commissioner of the
28 election in the county, city, town or borough in which the last con-
29 test is held, to notify the other commissioners of said district what
30 day the meeting for this purpose is to be. And in the event of tie,

31 the officer shall decide in the mode prescribed in the 15th and 16th
32 sections of the act, "Concerning general elections," passed April
33 2nd, 1831.

25th. If in the progress of said contested election, either party shall
2 be dissatisfied with the opinion of the court, on any vote or any
3 other question properly arising in the progress of the contest, such
4 party, by himself or counsel, shall prepare a bill of exceptions em-
5 bodying the evidence touching the case and setting forth the deci-
6 sion of the court thereon, which shall be signed and sealed by the
7 court, and enrolled as bills of exception in judicial proceedings usu-
8 ally are. And whenever either party shall be dissatisfied with the
9 ultimate decision of the court, as to who is entitled to the seat, or
10 with any decision of said court in the progress of the cause effect-
11 ing the final decision, an exception to which has been in like man-
12 ner taken, so as to preserve the point, such party may take the
13 case to that House of the General Assembly whose province it may
14 be to determine the same, and such House shall decide the ques-
15 tions presented in the record, and shall receive no other evidence
16 than that so embodied, and said House shall decide all questions of
17 illegality charged to have been committed in conducting the elec-
18 tion, and award the seat to that party, in its opinion, entitled to it.
19 *Provided*, that a notice setting forth the same shall have been given
20 the opposite party, within days after the final decision of
21 the court.

26th. All acts, and parts of acts, coming within the purview of
2 this act, shall be, and the same are hereby repealed.

This act shall be in force from and after the first day of June next.

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1. The first step is to identify the main topic of the document. This is often found in the title or the first few paragraphs.

2. The second step is to identify the key points or arguments made in the document. These are often found in the body paragraphs.

3. The third step is to identify the evidence or data used to support the key points. This is often found in the body paragraphs.

4. The fourth step is to identify the conclusion or final point made in the document. This is often found in the final paragraph.

5. The fifth step is to identify any other important information or details mentioned in the document.

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the study. The investigator must first identify the problem that is being studied. This is done by the investigator who is responsible for the study. The investigator must first identify the problem that is being studied. This is done by the investigator who is responsible for the study.

The following table shows the number of persons who have been convicted of crimes in the State of New York, from 1880 to 1890, and the number of persons who have been sentenced to the State Prison, from 1880 to 1890, by the State of New York.

[*Bill No. 3.*]

AMENDMENT

REPORTED BY THE COMMITTEE, TO THE BILL,

“Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the Clerks’ office.”

1. *Be it further enacted*, That all writs of *fieri facias*, or of
2 *Capias ad satisfaciendum*, which shall issue from the Circuit
3 Superior Courts of law and chancery in the Commonwealth, in-
4 stead of being made returnable at rules in the several clerks’ offices,
5 as is now provided by law, shall, in all cases, be made returnable
6 to the first day of the next succeeding term of the Circuit Su-
7 perior Court of law and chancery, to be holden for the county
8 or corporation, in which the said writs shall be issued, and not
9 otherwise.

2. *Be it further enacted*, That all sales of property by virtue, or
2 in pursuance of any writ of *fieri facias*, or of *Capias ad satisfaci-*
3 *endum*, which shall have issued from any of the said Circuit
4 Superior Courts, shall take place at the front door of the Court-
5 house of the county or corporation, between the hours now pre-
6 scribed by law, on the first day of some term of the Circuit Supe-
7 rior Court of law and chancery, to be holden for such county or
8 corporation, and at no other time or place, unless by the consent
9 in writing of both plaintiff and defendant, or their legally authorised
10 agents: *Provided, however*, That such sale, if commenced as
11 herein before prescribed, on the first day, may be continued from
12 day to day, during the session of the said court respectively, until
13 completed.

3. *Be it further enacted*, That all sales of property in pursuance of
2 any writ of *fieri facias*, *venditioni exponas* or *capias ad satisfaci-*
3 *endum* which shall have issued from any county or corporation court
4 shall take place at the front door of the courthouse of the county or
5 corporation, between the hours now prescribed by law on the 1st day
6 of the second term of the quarterly court to be holden for such
7 county or corporation, after the levy of such *fieri facias* or *capias*
8 *ad satisfaciendum*, or after the rendition of the judgment on the

9 forfeited forthcoming bond, and at no other time or place, unless
10 by the consent in writing of both plaintiff and defendant, or their
11 legally authorized agents.

4. *Be it further enacted,* That all motions on forfeited forth-
2 coming bonds in the county or corporation courts, shall be made
3 at the second term of the quarterly court for said county or corpo-
4 ration, after the forfeiture of the forthcoming bond aforesaid, or
5 at some subsequent term thereto.

5. *And be it further enacted,* That upon all levies made upon
2 executions issued upon judgments upon forfeited forthcoming
3 bonds, the defendant or defendants may retain in their possession,
4 until the day of sale, the property thus levied on, by entering into
5 a bond payable to the plaintiff, with sufficient security, to be judged
6 of by the sheriff or other officer levying the same; conditioned for
7 the delivery of the property on the day of the sale, or the pay-
8 ment of the debt, with 15 per cent. damages to the plaintiff in case
9 of failure to deliver the property or pay the debt on the day of
10 sale: *Provided, however,* That if the defendant, or some one for
11 him, shall deliver the property on the day and at the place pro-
12 vided for in said bond, except such portion thereof as may have
13 died or been destroyed without his assent, then and in that case
14 the defendant shall be discharged of the penalty hereby imposed.

6. *And be it further enacted,* That it shall be the duty of the
2 sheriff or other officer taking such bond, upon failure of the parties
3 to deliver the property or pay the same, to return the same to the
4 Clerk of the Court from which said execution issued, who is hereby
5 authorised to enter a judgment on the same in the Clerk's office,
6 and issue execution thereon for the debt and 15 per cent. damages,
7 and endorse thereon, no security of any kind to be taken.

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AMENDMENT

OFFERED BY MR. BONDURANT, TO THE BILL,

“Explanatory of the act of the 13th of March, 1840, concerning the confession of judgments in the Clerk’s office

1 *Be it further enacted*, That all writs of *capias ad respondem*,
2 or other process to commence personal actions, and all writs of
3 *feri facias*, or of *Capias ad satisfaciendum*, which shall issue
4 from the Circuit Superior Courts of law and chancery in the Com-
5 monwealth, instead of being made returnable at rules in the several
6 clerk’s offices, as is now provided by law, shall, in all cases, be
7 made returnable to the first day of the next succeeding term of the
8 Circuit Superior Court of law and chancery, to be holden for the
9 county or corporation, in which the said writs shall be issued, and
10 not otherwise.

1 *Be it further enacted*, That all sales of property by virtue, or in
2 pursuance of any writ of *feri facias*, or of *capias ad satisfaciendum*
3 which shall have issued from any of the said Circuit Superior Courts,
4 shall take place at the front door of the Courthouse of the county
5 or corporation, between the hours now prescribed by law, on the
6 first day of some term of the Circuit Superior Court of law and
7 chancery, to be holden for such county or corporation, and at no
8 other time or place, unless by the consent in writing of both plain-
9 tiff and defendant, or their legally authorised agents: *provided*,
10 *however*, that such sale, if commenced as herein before prescribed
11 on the first day, may be continued from day to day, during the
12 session of the said court respectively, until completed.

1 *Be it further enacted*, That all sales of property by motion or in
2 pursuance of any writ of *feri facias* or *capias ad satisfaciendum*
3 which shall have issued from any county or corporation court, shall
4 take place at the front door of the Courthouse of the county or cor-
5 poration, between the hours now prescribed by law on the first day
6 of some quarterly court, to be holden for such county or corporation,
7 and at no other time or place, unless by the consent in writing, of
8 both plaintiff and defendant or their legally authorised agents.

1 *Be it further enacted*, That all motions on forfeited forth-
2 coming bonds in the county or corporation courts, shall be made
3 at the quarterly courts for said county or corporation, and at no
4 other time.

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1. The first part of the book is devoted to a general survey of the history of the subject.
2. The second part is devoted to a detailed examination of the various theories of the subject.
3. The third part is devoted to a critical examination of the various theories of the subject.
4. The fourth part is devoted to a critical examination of the various theories of the subject.
5. The fifth part is devoted to a critical examination of the various theories of the subject.
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8. The eighth part is devoted to a critical examination of the various theories of the subject.
9. The ninth part is devoted to a critical examination of the various theories of the subject.
10. The tenth part is devoted to a critical examination of the various theories of the subject.

AN AMENDMENT,

REPORTED BY THE COMMITTEE OF GENERAL LAWS, TO THE BILL,

"To ascertain the mode of imposing taxes on the sales of wholesale and retail merchants and auctioneers and regulating the collection thereof."

Strike out from the word "That," in the 1st line of the 1st section, to the commencing clause, and in lieu thereof insert,

1 "It shall be the duty of every Commissioner of the revenue of this
2 Commonwealth, in their several counties, districts and corporations,
3 to classify all wholesale and retail merchants or dealers in goods,
4 wares, merchandize, and other articles of foreign or domestic
5 growth, production or manufacture, or both; or either, under the
6 following classes: that is to say, if such merchant or dealer shall
7 swear or affirm, when required so to do, that the amount of his
8 annual sales are under five thousand dollars, he shall be placed in
9 the first class; if five and under ten thousand dollars, he shall be
10 placed in the second class; if ten and under fifteen thousand dol-
11 lars, he shall be placed in the third class; if fifteen and under
12 twenty thousand dollars, he shall be placed in the fourth class;
13 if twenty and under thirty thousand dollars, he shall be placed in
14 the fifth class; if thirty and under fifty thousand dollars, he shall
15 be placed in the sixth class; if fifty thousand and under seventy-
16 five thousand dollars, he shall be placed in the seventh class; and
17 if seventy-five thousand dollars and over, he shall be placed in the
18 eighth class. And the said Commissioner of the revenue shall grant
19 to such merchant or dealer, upon application therefor, a license,
20 upon the payment (by such merchant or dealer) of the tax imposed
21 by law upon the class to which the said Commissioner shall have
22 assigned such merchant or dealer, according to the amount of his
23 annual sales as aforesaid. In estimating the amount of sales, the
24 merchant or dealer shall be governed by the sales of the preceding
25 year, and by the stock on hand or ordered, or expected to be or-
26 dered in the current year. If the merchant or dealer is commenc-
27 ing business and had no sales of the preceding year by which to

28 be governed in making his estimates, he shall be governed by his
 29 stock on hand, ordered, or expected to be ordered in the current
 30 year. And if the Commissioner of the revenue shall not be satis-
 31 fied with the statement or account on oath of such merchant or
 32 dealer, he shall be, and is hereby authorised to classify him or
 33 them (being one or more, as herein after provided for,) upon the
 34 best information he can procure. And if such merchant or dealer
 35 shall be dissatisfied with the Commissioner's classification, he may
 36 appeal therefrom to the court of the county or corporation in which
 37 he resides, who shall be empowered to confirm or reverse the Com-
 38 missioner's decision, and place the merchant or dealer so appealing
 39 in the class which to them shall appear just and proper, according
 40 to the provisions of this act: *Provided*, That all mercantile firms
 41 or partnerships, shall be counted as a single merchant only, under
 42 this act.

Sec. 2. *Be it further enacted*, That in like manner every Com-
 3 missioner of the revenue shall classify, all auctioneers and vendue
 4 masters, under the following classes: that is to say, if such auction-
 5 eer or vendue master shall swear or affirm, when required so to
 6 do, that the annual amount of his sales are under twenty-five thou-
 7 sand dollars, he shall be placed in the first class; if twenty-five
 8 and under fifty thousand dollars, he shall be placed in the second
 9 class; if fifty and under seventy-five thousand dollars, he
 10 shall be placed in the third class; if seventy-five and under one
 11 hundred thousand dollars, he shall be placed in the fourth class;
 12 if one hundred and under one hundred and fifty thousand dollars,
 13 he shall be placed in the fifth class; if one hundred and fifty and
 14 under two hundred thousand dollars, he shall be placed in the sixth
 15 class; and if two hundred thousand dollars and over, he shall be
 16 placed in the seventh class. And the said Commissioner of the
 17 revenue shall grant to such auctioneer or vendue master, upon ap-
 18 plication therefor, a license, upon the payment (by such auctioneer
 19 or vendue master) of the tax imposed by law upon the class to
 20 which the said Commissioner shall have assigned such auctioneer
 21 or vendue master, according to the amount of his annual sales afore-
 22 said. In estimating the amount of sales, the auctioneer or vendue
 23 master shall be governed as prescribed in the preceding section of
 24 this act, in the case of merchants. And if the Commissioner of the
 25 revenue shall not be satisfied with the account of sales or state-

25 ment rendered on oath by such auctioneer or vendue master, he
 26 shall be, and is hereby empowered, as in the preceding section,
 27 (in the case of merchants,) to class such auctioneer or vendue
 28 master, as may seem proper, upon the best information he can pro-
 29 cure, with the right of appeal on the part of the auctioneer or vendue
 30 master, (as in said section provided,) if dissatisfied.

Sec. 3. *Be it further enacted*, That if any merchant or mercantile
 2 firm shall also carry on the business of auctioneer or vendue mas-
 3 ter, the said merchant or mercantile firm shall be classed as an
 4 auctioneer or vendue master, or auctioneers, (as the case may be,)
 5 and pay the tax imposed by law on auctioneers or vendue masters.

Sec. 4. *Be it further enacted*, That every wholesale and retail
 2 merchant or dealer in goods, wares, merchandize, and other articles
 3 of foreign or domestic growth, production, or manufacture, or
 4 both, or either, shall, upon application for license, or before license
 5 is granted, pay the tax prescribed by the following scale: that is
 6 to say, if such merchant shall be in the first class, he, she, or they
 7 shall only pay a tax of dollars; if in the second class, the
 8 sum of \$; if in the third class, the sum of \$; if in
 9 the fourth class, the sum of \$; if in the fifth class, the sum
 10 of \$; if in the sixth class, the sum of \$; if in the sev-
 11 enth class, the sum of \$; and if in the eighth class, the sum
 12 of \$; and in like manner every auctioneer or vendue mas-
 13 ter shall, on application for license, or before license be granted,
 14 pay the tax prescribed by the foregoing scale: that is to say, if
 15 such auctioneer or vendue master be in the first class, he, she, or
 16 they, shall pay a tax of \$; if in the second class, a tax of
 17 \$; if in the third class, a tax of \$; if in the fourth
 18 class, a tax of \$; if in the fifth class, a tax of \$; if
 19 in the sixth class, a tax of \$; if in the seventh class, a tax
 20 of \$; and if in the eighth class, a tax of \$.

[Bill No. 5.]

AN AMENDMENT

PROPOSED BY THE SENATE, TO THE BILL,

"Restricting the Banks in the issue of small notes."

In lieu of the ryder insert the following:—

1. *And be it further enacted*, That it shall be lawful for the Treasurer of the Commonwealth and he is hereby directed and required, as soon as practicable, to issue certificates of stock to the amount of dollars, purporting that the Commonwealth of Virginia will pay the holder of such certificate, his executor, administrator or assigns, the principal sum mentioned in such certificate, with six per cent. interest thereon, payable semi-annually, in specie or its equivalent, at the treasury of the Commonwealth; and that such certificate has been issued under the authority of this act, and that the payment of the interest punctually, and of the principal according to the tenor of the obligation, and charged upon the revenue of the Commonwealth, derived from land and slaves. Each certificate shall be signed by the Treasurer and countersigned by the first Auditor, and shall be registered in a book to be kept by him for that purpose. Every such certificate of loan shall be transferable on the books of the first Auditor, and the semi-annual interest thereon shall be paid on his warrant. The principal sum authorised to be borrowed by this act, is hereby declared to be irredeemable for five years, but shall afterwards be redeemable at the pleasure of the General Assembly.

2. *And be it further enacted*, That the Treasurer of the Commonwealth is hereby authorised and required to sell the certificates of debt as aforesaid, at such price in specie, as he may be able to procure for the same. And the proceeds thereof, the said Treasurer is hereby directed and required to deposite in the several Banks of this Commonwealth to the credit of the Commonwealth, upon the warrant of the first Auditor.

3. *And be it further enacted*, That the Treasurer aforesaid is hereby directed and required, out of the proceeds of the sale aforesaid, upon deposite as aforesaid, to pay upon the warrant of the first Auditor to the several Banks of this Commonwealth, such sum or sums of money as have been or may hereafter be loaned by the banks aforesaid to the Commonwealth of Virginia, under the authority of the act of the General Assembly, passed the 17th day of December 1842, entitled, "An act, authorising the Treasurer to make a loan or loans on behalf of the Commonwealth."

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